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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF THE AIR FORCE

Effective upon publication in the FEDERAL REGISTER, § 6.107 (d) (3) is amended to read as follows:

§ 6.107 *Department of the Air Force.*

* * *

(d) *General.* * * *

(3) Until December 31, 1956, positions of librarian, recreation leader and recreation supervisor which entail responsibility for the direction or supervision of voluntary educational and recreational programs and which, as an integral part of the job, require close working associations with military personnel for whom such programs are conducted.

* * * * *

(R. S. 1753, sec. 2.22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR 1947 Supp. E. O. 9973, June 25, 1948, 13 F. R. 3600; 3 CFR 1949 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 52-6999: Filed, June 25, 1952; 8:55 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases and Other Operations

[1952 C. C. C. Grain Price Support Bulletin 1, Amdt. 2, to Supp. 1, Barley]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP BARLEY LOAN AND PURCHASE AGREEMENT PROGRAM

BASIC SUPPORT RATES AT DESIGNATED TERMINAL MARKETS

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 17 F. R. 3771 and 4834, and containing the specific requirements for the 1952-Crop Barley Price Support Program are hereby amended as follows:

Section 601.1558 *Support rates*, paragraph (a) *Basic support rates at designated terminal markets*, subparagraph (1), is amended by adding Sioux City, Iowa, to the list of terminal markets, and by deleting the words "for No. 1" from the heading "Rate per bushel for No. 1," so that the section reads as follows:

§ 601.1558 *Support rates.* * * *

(a) *Basic support rates at designated terminal markets.* (1) Basic support rates per bushel for barley of the Classes I, II, and III, grading No. 2 or better, and stored in approved warehouses at the terminal markets listed below are as follows:

Terminal market:	Rate per bushel
Albany, N. Y.	$1.53
Astoria, Oreg.	1.47
Baltimore, Md.	1.53
Chicago, Ill.	1.46
Duluth, Minn.	1.42
Galveston, Tex.	1.47
Houston, Tex.	1.47
Kansas City, Mo.	1.40
Longview, Wash.	1.47
Los Angeles, Calif.	1.46
Memphis, Tenn.	1.46
Milwaukee, Wis.	1.46
Minneapolis, Minn.	1.42
New Orleans, La.	1.47
New York, N. Y.	1.53
Norfolk, Va.	1.53
Oakland, Calif.	1.46
Omaha, Nebr.	1.40
Philadelphia, Pa.	1.53
Portland, Oreg.	1.47
Saint Joseph, Mo.	1.40
Saint Louis, Mo.	1.46
San Francisco, Calif.	1.46
Seattle, Wash.	1.47
Sioux City, Iowa	1.40
Superior, Wis.	1.42
Tacoma, Wash.	1.47
Vancouver, Wash.	1.47

* * * * *

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup. 714, 7 U. S. C. Sup. 1447, 1421)

Issued this 20th day of June 1952.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-6985: Filed, June 25, 1952; 8:51 a. m.]

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FEDERAL REGISTER

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The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

[1952 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Dry Edible Beans]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP DRY EDIBLE BEAN LOAN AND PURCHASE AGREEMENT PROGRAM

A price support program has been announced for the 1952-crop of dry edible beans. The 1952 C. C. C. Grain Price Support Bulletin 1 (17 F. R. 3521), issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1952, is supplemented as follows:

Sec.
- 601.1651 Purpose.
- 601.1652 Availability of price support.
- 601.1653 Eligible beans.
- 601.1654 Warehouse receipts.
- 601.1655 Determination of quantity.
- 601.1656 Determination of quality.
- 601.1657 Credit for loss or damage.
- 601.1658 Maturity of loans.
- 601.1659 Delivery of beans to CCC.
- 601.1660 Support rates.
- 601.1661 Storage in transit.
- 601.1662 Settlement.

AUTHORITY: §§ 601.1651 to 601.1662 issued under sec. 4, 62 Stat. 1070, as amended, 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1447, 1421.

§ 601.1651 *Purpose.* This supplement states additional specific requirements which, together with the general requirements contained in the 1952 C. C. C. Grain Price Support Bulletin 1 (17 F. R. 3521), apply to loans and purchase agreements under the 1952-Crop Dry Edible Bean Price Support Program.

§ 601.1652 *Availability of price support*—(a) *Method of support.* Price support will be available through farm-storage and warehouse-storage loans and through purchase agreements. Farm-storage loans will not be available to cooperative marketing associations of producers.

(b) *Area.* Farm-storage and warehouse-storage loans and purchase agreements will be available wherever beans of the eligible classes are grown in the continental United States, except that farm-storage loans will not be available in areas where the PMA State committee determines that beans cannot be safely stored on the farm.

(c) *Where to apply.* Application for price support must be made at the office of the PMA county committee which keeps the farm-program records for the farm.

(d) *When to apply.* Loans and purchase agreements will be available from the time of harvest through January 31, 1953, and the applicable documents must be signed by the producer and delivered to the county committee not later than such date.

(e) *Eligible producer.* (1) An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing eligible beans in 1952 as landowner, landlord, tenant or sharecropper.

(2) A cooperative marketing association of producers shall be deemed to be an eligible producer for warehouse-storage loans and purchase agreements on any class of eligible beans produced by eligible producer-members, provided (i) all beans of such class marketed or acquired by the association are produced by producer members; (ii) the producer members are bound by contract to market their beans of such class through the association and the association does not release any such beans for the purpose of permitting producer members to ob-

tain individual price support loans or purchase agreements; (iii) the proceeds of the eligible beans marketed by the association are shared proportionately among the eligible producer-members according to the class, grade and quantity of such beans each delivers to the association; (iv) the association has authority to obtain a loan on the security of the beans and to give a lien thereon as well as authority to sell such beans.

(3) All determinations with respect to cooperative marketing associations of producers pursuant to this section shall be made by or under the direction of the PMA State committee.

§ 601.1653 *Eligible beans.* Eligible beans must meet the following requirements:

(a) The beans must have been produced in the continental United States in 1952 by an eligible producer.

(b) Except in the case of cooperative marketing associations, the beneficial interest in the beans must be in the producer tendering the beans for loan or for delivery under a purchase agreement, and must always have been in him or in him and a former producer whom he succeeded before the beans were harvested. In the case of cooperative marketing associations, the beneficial interest in the beans must have been in the producers who delivered the beans to the association and must always have been in them or in them and former producers whom they succeeded before the beans were harvested.

(c) The beans must be dry edible beans of the classes Pea, Medium White, Great Northern, Small White, Flat Small White, Pink, Small Red, Pinto, Red Kidney, Large Lima and Baby Lima.

(d) Beans placed under loan must (1) grade U. S. Choice Handpicked, U. S. Extra No. 1, U. S. No. 1, or U. S. No. 2, or (2) must be beans (hereinafter referred to as "thresher run" beans) which have not been commercially cleaned; which have a moisture content not in excess of 18 percent; which, after deduction of foreign material, contain not more than 8 percent of other defects, as these terms are defined in the United States Standards for Beans; which are not musty, sour, heating, hot, weevily, materially weathered, or otherwise of distinctly low quality; and which do not have any commercially objectionable odor.

(e) Beans delivered under a purchase agreement must grade U. S. Choice Hand-picked, U. S. Extra No. 1, U. S. No. 1, or U. S. No. 2.

(f) If offered for a farm-storage loan, beans must have been stored for at least 30 days prior to inspection for measurement, sampling, and sealing, unless otherwise approved by the PMA State committee.

§ 601.1654 *Warehouse receipts.* Warehouse receipts, representing beans in approved warehouse-storage to be placed under loan or delivered under a purchase agreement, must meet the following requirements:

(a) Warehouse receipts must be issued in the name of the producer or cooperative marketing association, must be properly endorsed in blank so as to vest title in the holder, and must be issued by a warehouse approved by CCC under CCC Form 28, "Bean Storage Agreement". The receipts must be negotiable and must cover eligible beans actually in store in the warehouse.

(b) In order to be acceptable under the loan program, each warehouse receipt, or the accompanying supplemental certificate must contain a statement that the beans are insured in accordance with CCC Form 28, "Beans Storage Agreement," and if such insurance was not effective as of the date of deposit of the beans in the warehouse, the warehouseman must certify as to the effective date of the insurance and that the beans are in the warehouse and undamaged. The insurance on commingled beans must be obtained by the warehouseman. Insurance on beans with respect to which the warehouseman does not guarantee quality (hereinafter called identity-preserved beans) must be obtained by either the producer or the warehouseman. If the insurance is obtained by the producer it must be assigned to the warehouseman, with the consent of the insurance company, before a loan will be made and the warehouseman must also certify that the insurance has been assigned to him with the consent of the insurance company. Insurance is not required in order for warehouse receipts to be purchased under the purchase agreement program.

(c) Each warehouse receipt or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show the gross and net weight of beans, the class, and the grade or all grading factors used in the determination of the quality of the beans.

(d) In the case of identity-preserved beans, the warehouse receipt shall show the lot number and number of bags in the lot, and the producer must execute the supplemental certificate and assume responsibility for the quantity and quality indicated thereon.

(e) The warehouse receipt may be subject to liens for warehouse charges only to the extent indicated in § 601.1659 (b).

§ 601.1655 *Determination of quantity*—(a) *When loans are made on farm storage or identity-preserved beans.* (1) At the time the loan is made the quantity of beans may be determined either by weight or, if stored in bulk, by measurement. Where the quantity is determined by measurement, 2.1 cubic feet shall constitute 100 pounds.

(2) In the case of bagged beans grading U. S. No. 2 or better, loans shall be made on the net weight of the lot or on a quantity determined by multiplying the number of bags by 100 pounds, whichever is less. In the case of other eligible beans, loans shall be made on the basis of the net weight of sound beans in the lot. Sound beans shall be beans free of dockage and other defects as defined in the United States Standards for Beans.

(3) If the beans are stored in sacks, a deduction of three-fourths pound per sack shall be made from the gross weight of sacked beans, except where the net weight is shown on the warehouse receipt.

(b) *At time of delivery.* (1) The quantity of beans delivered to CCC from other than an approved warehouse, or delivered in an approved warehouse as identity-preserved beans shall be determined on the basis of net weight and bag count at the point of delivery, in accordance with § 601.1662 (c).

(2) The quantity of beans delivered to CCC in an approved warehouse where the warehouseman guarantees the quality and quantity shall be the net weight of beans specified on the warehouse receipt or supplemental certificate.

§ 601.1656 *Determination of quality.* (a) The class, grade and all quality factors shall be determined in accordance with the United States Standards for Beans. An inspection certificate issued by a licensed inspector is required on all farm-storage loans.

(b) Where quality is guaranteed by the warehouseman, the class and grade delivered under a warehouse-storage loan or purchase agreement shall be that shown on the warehouse receipt. In all other cases the class and grade shall be determined from a Federal or Federal-State inspection certificate, issued by or under the supervision of the Grain Branch, PMA.

§ 601.1657 *Credit for loss or damage.* The amount to be credited to the producer for loss or damage assumed by CCC, in accordance with § 601.1515 of 1952 C. C. C. Grain Price Support Bulletin 1, shall be determined by multiplying the number of hundredweight of sound beans lost or destroyed by the support rate for U. S. No. 2 beans of the class lost or destroyed, except that if the warehouse receipt or an official inspection certificate covering the beans shows a grade of U. S. No. 2 or better, the amount credited shall be determined by multiplying the net weight of the beans lost or destroyed by the support rate for the class and grade of such beans.

§ 601.1658 *Maturity of loans.* Loans mature on demand but not later than April 30, 1953.

§ 601.1659 *Delivery of beans to CCC.* If the warehouse recipt represents beans not commercially cleaned and graded, the producer must arrange to resubmit warehouse receipts on cleaned, graded, and bagged beans at the time of delivery in accordance with instructions issued by the county committee. The following terms and conditions shall apply with respect to packaging and charges:

(a) *Packaging.* Beans must be packed 100 pounds net in bags equal to or better than (1) new bags made of 36-inch, 10.4 ounce A or B quality common jute or heavier weight jute, or (2) new cotton bags, 36-inch, 2.34 yards osnaburg or 40-inch 2.50 yard osnaburg. If new bags are not available, beans may be packed in No. 1 used bags made of 36-inch, 10.4 ounce A or B quality jute or heavier, free of holes, patches, or other defects, satisfactory for the proper conservation of the product, and thoroughly cleaned before being filled. Bag seams must be sufficiently strong to develop the full

strength of the cloth. Bags will be marked to show the commodity name and class; and the net weight when packed; and the name and address of the packer.

(b) *Charges.* (1) Storage, bagging, cleaning, inspection fees and all other charges, including cost of movement to normal railroad shipping point where the warehouse is not located on a railroad (but not including receiving and loading-out charges), incurred on beans up to the time of delivery to CCC, shall be paid by the producer prior to such delivery or shall be paid from the settlement value: *Provided, however,* That on the quantity of eligible beans stored in an approved warehouse and delivered to CCC under a loan or purchase agreement, CCC will assume warehouse-storage charges (not in excess of those allowed under the storage agreement in effect for the 1952 crop with CCC) accruing after April 30, 1953.

(2) In the case of identity-preserved beans, the producer shall pay any unpiling, turning, repiling, or other warehouse charges, except loading-out charges, incident to official weight and grade determinations.

§ 601.1660 *Support rates.* (a) The loan rate for eligible beans grading U. S. No. 2 or better, and meeting the packaging requirements of § 601.1659 (a), shall be the applicable support rate shown in paragraph (b) of this section, for the class, grade, and county where produced, however, if the beans have been moved by truck to approved storage in a higher loan rate county, or if the warehouseman guarantees delivery by truck to approved storage or on track in such higher support rate county, the loan rate shall be the support rate for the county in which the beans are stored or to which delivery is guaranteed. Any charges specified in § 601.1659 (b) which are unpaid shall be paid from the proceeds of the loan, including receiving and loading-out charges at any warehouse other than the original warehouse (applicable to warehouses in which original warehouseman guarantees delivery in a different county).

(b) The support rates per 100 pounds net weight established for dry edible beans are as follows:

Class of beans	*1952 support price* [1]
Pinto:	
Area I—All counties in Kansas, Nebraska, Oklahoma, and Texas. In Colorado, the counties of Adams, Arapahoe, Baca, Bent, Boulder, Cheyenne, Clear Creek, Crowley, Denver, Douglas, Elbert, El Paso, Fremont, Gilpin, Huerfano, Jefferson, Kiowa, Kit Carson, Larimer, Los Animas, Lincoln, Logan, Morgan, Otero, Phillips, Prowers, Pueblo, Sedgwick, Teller, Washington, Weld, and Yuma. In New Mexico, all counties except McKinley, Rio Arriba, San Juan, Taos, and Valencia. In Wyoming, the counties of Goshen, Laramie, Platte, Converse and Natrona	$7.60
Area II—All counties in Arizona and California. In New Mexico, the counties of McKinley and Valencia	7.45
Area III—All counties in Montana, South Dakota, and Utah. In Colorado, all counties not in Area I. In Wyoming, all counties except Goshen, Laramie, and Platte. In New Mexico, the counties of Rio Arriba, San Juan, and Taos	7.35
Area IV—All other States and counties	7.20
Great Northern:	
Area I—Minnesota, Nebraska, North Dakota. In Colorado, all counties east of 106° longitude. In Wyoming, the counties of Goshen, Laramie, Platte, Converse and Natrona	8.40
Area II—Montana, South Dakota, and all counties in Wyoming, except Goshen, Laramie, and Platte	8.17
Area III—Malheur County, Oreg., and the counties of Ada, Bannock, Bear Lake, Bingham, Boise, Canyon, Caribou, Cassia, Elmore, Franklin, Gem, Gooding, Jerome, Lincoln, Minidoka, Oneida, Owyhee, Payette, Power, and Twin Falls in Idaho	8.02
Area IV—All other States and counties	7.92
Pea and Medium White:	
Area I—Michigan, New York, Minnesota, Maine, and Wisconsin	8.65
Area II—Other	8.15
Small White and Flat Small White	8.30
Red Kidney	$9.60
Pink	8.40
Small red	8.45
Large Lima	11.80
Baby Lima	6.45

[1] For U. S. No. 1. Premium for U. S. C. H. P. and U. S. Extra No. 1—10 cents. Discount for U. S. No. 2—25 cents. Loan rate for thresher-run beans—U. S. No. 1 less $2, except in New York and Michigan where the loan rate shall be U. S. No. 1 less $3. Quantity on thresher-run beans is the net weight of sound whole beans.

§ 601.1661 *Storage in transit.* (a) Reimbursement will be made by CCC to producers or warehousemen for paid-in rail freight (including freight tax) on beans stored in approved warehouses, subject to the following conditions:

(1) The movement from point of origin to storage point must be an "in-line" movement as determined by CCC, and must be no greater than 100 miles from the point of production unless otherwise approved by CCC prior to the date of shipment.

(2) The freight must have been paid in by the person claiming reimbursement and he must not have been otherwise reimbursed.

(3) The warehouseman must furnish the descriptive data on all freight bills or transit tonnage slips on all eligible beans received into the storage facility at the time and in the manner stipulated in Bean Storage Agreement in effect with CCC for the 1952 crop.

(4) The freight bills or transit tonnage slips must be made available to CCC in accordance with the provisions of Form CCC 28, "Bean Storage Agreement."

(5) Not more than one transit stop must have been used on the billing.

(6) The freight bills must be otherwise acceptable to CCC under the terms of the storage agreement.

(b) Reimbursement for paid-in freight under this section will be made by the appropriate PMA Commodity Office subsequent to actual delivery of the beans to CCC pursuant to a loan or purchase agreement.

§ 601.1662 *Settlement.* The settlement value of the beans delivered under a loan or purchase agreement shall be determined as set forth in this section.

(a) *Applicable county rate.* Settlement shall be made at the support rate for the county in which the beans are produced except as follows:

(1) In the case of farm-storage loans and purchase agreements, settlement shall be made at the support rate for the county where the beans are delivered if the beans have been delivered to such county by truck.

(2) In the case of warehouse-storage loans, both identity-preserved and guaranteed, if the warehouse is located off the railroad, settlement will be made with the producer at the support rate for the county to which the warehouseman guarantees delivery for loading.

(b) *Applicable support rate for class and grade.* If the beans are stored in an approved warehouse and the quality is guaranteed by the warehouseman, settlement will be made with the producer at the applicable support rate for the quality of beans shown on the warehouse receipt. In other cases of beans delivered under loans and purchase agreements, settlement shall be made as follows:

(1) *Loans.* (i) In the case of farm-storage loans and warehouse-storage loans on identity-preserved beans, settlement shall be made at the applicable support rate for the class and grade of the beans delivered.

(ii) If the beans are of a grade for which no support rate has been established, the settlement value shall be the settlement rate established for the grade placed under loan, less the difference, if any, at the time of delivery, between the market price for the grade placed under loan and the market price of the beans delivered as determined by CCC: *Provided, however,* That in the case of thresher-run beans which, when delivered are not of a grade for which a support rate has been established, the settlement value shall be the settlement value for the lowest grade for which a support rate has been established, less the difference, if any, at the time of delivery, between the market price for such grade and the market price of the beans delivered, as determined by CCC.

(2) *Purchase agreements.* Under purchase agreements, beans will be purchased at the applicable support rate for the class and grade of the eligible beans delivered.

(c) *Quantity on which settlement will be made.* Settlement will be made on the basis of each bag containing 100 pounds net weight of beans. The producer will be paid or credited for the net weight of the lot delivered or for a quantity determined by multiplying the number of bags by 100 pounds, whichever quantity is less. If all the beans in the lot are not weighed, the net weight shall

be determined by multiplying the average net weight of not less than 10 percent of the bags in the lot by the total number of bags.

Issued this 20th day of June 1952.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-6984; Filed, June 25, 1952; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

EXPENSES AND RATES OF ASSESSMENT FOR THE 1952–53 SEASON

On June 3, 1952, notice of proposed rule making was published in the FEDERAL REGISTER (17 F. R. 4989) regarding the expenses and the fixing of the rates of assessment for the 1952–53 season pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the proposals which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order) and set forth in the aforesaid notice, it is hereby found and determined that:

§ 936.206 *Expenses and rates of assessment for the 1952–53 season*—(a) *Expenses.* The expenses likely to be incurred by the Control Committee during the 1952–53 season for the maintenance and functioning of such committee and the respective commodity committees, established pursuant to the provisions of the aforesaid amended marketing agreement and order, are as follows:

(1) Bartlett pears, $20,347.20;

(2) Early varieties of plums, $21,210.00;

(3) Late varieties of plums, $22,540.00;

(4) Elberta peaches, $15,077.30.

(b) *Rates of assessment.* The following rates of assessment, which each handler shall pay in accordance with the applicable provisions of said amended marketing agreement and order, are hereby fixed as the respective handler's pro rata share of the aforesaid expenses;

(1) 7½ mills ($0.0075) per standard western pear box of Bartlett pears, or its equivalent in other containers or in bulk;

(2) 1 cent ($0.01) per standard four-basket crate of early varieties of plums, or its equivalent in other containers or in bulk;

(3) 1 cent ($0.01) per standard four-basket crate of late varieties of plums, or its equivalent in other containers or in bulk; and

(4) 3½ mills ($0.0035) per California peach box of Elberta peaches, or its equivalent in other containers or in bulk.

Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive, or regulation pursuant thereto.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) the respective rates of assessment are applicable to all fresh Bartlett pears, early varieties of plums, late varieties of plums, and Elberta peaches shipped during the 1952–53 season; (2) shipments of plums have already commenced and shipments of Elberta peaches are expected to begin on or about June 20, 1952, with shipments of Bartlett pears following on or about July 1, 1952; (3) the provisions of this section do not impose any obligation on a handler until such handler ships plums, Elberta peaches or Bartlett pears; and (4) it is essential that the specification of the assessment rates be issued immediately so that the aforesaid assessment may be collected and thereby enable the said Control Committee and commodity committees to perform their duties and functions in accordance with said amended marketing agreement and order.

Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 23d day of June 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-7007; Filed, June 25, 1952; 8:57 a. m.]

PART 959—IRISH POTATOES GROWN IN THE COUNTIES OF CROOK, DESCHUTES, JEFFERSON, KLAMATH, AND LAKE IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA

RECODIFICATION

EDITORIAL NOTE: Federal Register Document 52–1692, appearing at page 1246 of the issue for Saturday, February 9, 1952, has been corrected as follows:

In § 959.130 (a), the reference "§§ 959.54, 959.56, 959.57, or any combination thereof" has been changed to read: §§ 959.40 to 959.60, inclusive, or any combination thereof".

PART 962—FRESH PEACHES GROWN IN GEORGIA

EXPENSES AND RATE OF ASSESSMENT FOR THE 1952–53 FISCAL PERIOD

Notice was published in the June 3, 1952, daily issue of FEDERAL REGISTER (17 F. R. 4989) that consideration was being given to the proposals regarding the expenses and the fixing of the rate of assessment for the 1952–53 fiscal period under the marketing agreement, as amended, and Order No. 62, as amended (7 CFR Part 962), regulating the handling of fresh peaches grown in the State of Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Industry Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 962.206 *Expenses and rate of assessment for the 1952–53 fiscal period*—(a) *Expenses.* The expenses necessary to be incurred by the Industry Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning March 1, 1952, will amount to $23,220.00.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles peaches shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order is hereby fixed at one and one-half cents ($0.015) per bushel basket of peaches (net weight 50 pounds), or its equivalent of peaches in other containers or in bulk.

Notwithstanding the approval of the aforesaid expenses, none of such funds may be used to pay any wage or salary that is inconsistent with the Defense Production Act of 1950, as amended, Executive Order No. 10161, or any supplementary order, directive, or regulation pursuant thereto.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective time of this section until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) shipments of peaches from Georgia are now being made; (2) the rate of assessment is applicable to all fresh peaches shipped during the 1952–53 fiscal period; (3) a large volume of the Georgia peach crop is handled by itinerant truckers and cash buyers who operate in the area only part of the season; and (4) in order for the regulatory assessment to be collected, especially from those handlers who do not have definite or established places of business in the production area, it is essential that the specification of the assessment rate be issued immediately so as to enable the said Industry Committee to perform its duties and functions under said amended marketing agreement and order.

As used in this section, the terms "handler," "handles," "shipped," "peaches," "production area," and "fiscal period" shall have the same meaning as is given to each such term in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. Sup. 608c)

Done at Washington, D. C., this 23d day of June 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-7006; Filed, June 25, 1952; 8:57 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter V—Relief of Indians

PART 251—RATION REGULATIONS

REPEAL

Sections 251.1 to 251.8, inclusive, 25 CFR, are hereby repealed.

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6954; Filed, June 25, 1952; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 14, Amdt. 14]

CPR 14—CEILING PRICES OF CERTAIN FOODS AT WHOLESALE

ALLOWANCE FOR COST OF LABELS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 14 to Ceiling Price Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment permits wholesalers who furnish the labels for Table A items to add to their "net cost" the difference between the actual cost of the labels and the label allowance received from their supplier. They do this by adding their label cost to their "net cost" and deducting their label allowance. However, wholesalers who have an adjustment under section 27b of this regulation will not be allowed to do this on any item covered by that adjustment.

In order to ensure competitive existence, it has been a customary practice for wholesalers to have processed food items packed under a label which they furnish in preference to the labels regularly furnished by their supplier. The supplier usually gives an allowance to such a wholesaler because he has saved money by using the wholesaler's labels. Section 4 (a) of this regulation, which deals with the computation of net cost, until now has allowed the wholesaler to keep that allowance as part of his net cost.

In the past, where there was a difference between the allowance made to the wholesaler by his supplier and the actual cost of labels to the wholesaler, the wholesaler customarily reflected this difference in his selling price.

The present markups in Table A, which are essentially the same as those used by the Office of Price Administration in MPR 421, contain a factor for cost of labels. However, at the time of the 1942 margin survey, on which MPR 421 markups were based, there was very little private label business as compared with today. Therefore, a very small proportion of the data collected contained a label cost factor. For this reason the label cost factor contained in the average markups is extremely small.

This was not important under OPA because there was little difference between label cost and the allowance made by the supplier, and wholesalers were required to absorb only a very small amount either dollars-and-cents or percentagewise.

Available data now make it clear that the spread between the actual cost of labels to a wholesaler and the amount allowed the wholesaler by the supplier has increased since 1942, when the markups now in use were first established, by an average of over 250 percent. This large spread has resulted from the fact that while label costs have advanced in recent years, the label allowances have remained almost stationary.

On some commodities bearing an owned or exclusively controlled label or brand a wholesaler may, under certain conditions, be permitted by section 27b of CPR 14 to add a percentage factor to net cost to cover product promotion, including among other things label cost, thus recovering his label cost on the commodities he has specified in his application to use section 27b. As already indicated, for the much more numerous wholesalers who furnish labels but who do not qualify under section 27b, the present markup factor covering label costs is so small as to have no effect at all. To provide equitable treatment, this cost factor should also be recognized for them. Therefore, OPS is now permitting wholesalers to add their actual out-of-pocket label costs to net cost. This technique has been used instead of a percentage or flat dollars-and-cents adjustment because, while suppliers normally give a fixed label allowance for a given item of merchandise, individual wholesalers use labels which vary widely in cost.

In the formulation of this amendment, the Director of Price Stabilization has consulted with industry representatives, including trade association representatives, to the extent practicable and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Section 4 (a) is amended to read as follows:

SEC. 4. *Directions for applying the rule*—(a) *Net cost.* To figure your ceiling price, first find the "net cost" of the item, based on its most recent delivery to you before May 14, 1951. Your "net cost" will be the amount you paid your supplier less all discounts except (1) discounts on items in category #5, "Cookies, crackers, toast and crumbs", (section 35 (b) (5)), (2) the discount for prompt payment, and (3) swell allowance, plus label costs and all transportation charges you paid except local trucking and local unloading. This exception shall not apply to any shipments by water. In such cases, there may be added also as part of the cost of transportation the cost of moving the shipment from the place at which it was processed to the dock, the cost of unloading at that dock, wharfage, handling, tollage and usage charges, the cost of marine insurance, the cost of loading the goods on a car, truck or other conveyance at the port of discharge and the cost of transportng that shipment from the port of discharge to receiving point. However, cost of loading the shipment at the place at which it was processed, segregation charges and cost of unloading at receiving point may not be added. Treat as a separate item each kind, brand, grade, variety, container-size and container-type.

(1) Your net cost must be figured on purchases of a customary type of supplier delivered to your usual receiving point by a customary means of delivery. Of course, you must never figure your net cost on a purchase made at a price higher than your supplier's ceiling.

(2) Figure the net cost of the unit in which you receive delivery (i. e., per dozen, per case, per bag, etc.) to the nearest cent.

(3) For items you "manufacture or otherwise process" use the special rules in section 17.

(4) For items on which you have an adjustment pursuant to section 27b you figure your net cost as set forth in this section but you do not add label cost or deduct any label allowance.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on June 28, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 24, 1952.

[F. R. Doc. 52-7060; Filed, June 24, 1952; 4:39 p. m.]

[General Ceiling Price Regulation, Amdt. 8 to Supplementary Regulation 15]

GCPR, SR 15—EXCEPTION FOR CERTAIN SERVICES

SUSPENSION OF PRICE CONTROL ON CERTAIN SERVICE CHARGES IN CONNECTION WITH WHITE FLESH POTATOES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 8 to Supplementary Regulation 15 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment restores the suspension from price control of the rates, charges and compensation for services performed in connection with harvesting, preparing for market and marketing of white flesh potatoes. In view of the revocation of CPR 113, and all amendments and supplementary regulations thereto unprocessed white flesh potatoes are no longer under price controls. Accordingly, the reason for excluding the service charges of other fruits and vegetables, as set forth in the Statement of Considerations accompanying Amendment 2 to Supplementary Regulation 15 to the General Ceiling Price Regulation, applies with equal force to the service charges incurred with respect to white flesh potatoes.

In the formulation of this amendment special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

In the judgment of the Director of Price Stabilization, this amendment is generally fair and equitable and complies with all applicable provisions of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Section 2 (a) (3) of Supplementary Regulation 15 to the General Ceiling Price Regulation is amended by deleting the phrase "(Except white flesh potatoes)" so that subparagraph (3) of said section shall read as follows:

(3) *Services in connection with fresh fruits, vegetables, berries, and tree nuts.* The provisions of the General Ceiling Price Regulation shall not apply to rates, fees and charges for services performed in connection with harvesting; car and truck pre-cooling and top-icing; packing and prepackaging; and buying and selling of fresh fruits, vegetables, berries, and tree nuts, pending formulation of regulations applicable generally to fresh fruits, vegetables, berries, and tree nuts, but in no event shall this suspension extend beyond November 4, 1952; *Provided, however,* That during the period of this suspension, persons performing these services shall maintain the current records required to be maintained by section 16 (b) of the General Ceiling Price Regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to Supplementary Regulation 15 to the General Ceiling Price Regulation shall become effective June 24, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 24, 1952.

[F. R. Doc. 52-7062; Filed, June 24, 1952; 4:39 p. m.]

[Ceiling Price Regulation 22, Amdt. 48]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

MODIFICATION OF APPAREL EXEMPTION AS TO FABRIC GLOVES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law, 81st Cong., Pub. Law 96, 82d Cong.) Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 48 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment modifies the apparel exemption in paragraph (f) of Appendix A in regard to dipped plastic and dipped rubberized fabric gloves. Amendment 42 to CPR 22 placed dipped plastic fabric gloves, formerly covered by CPR 45, Rev. 1, under the coverage of CPR 22, the regulation thought best suitable for this industry. The purpose of Amendment 42 was to place dipped plastic fabric glove manufacturers under the same regulation as manufacturers of dipped rubberized fabric gloves and to eliminate the necessity of some manufacturers of both types of gloves having to establish ceiling prices for their commodities under two regulations. However, since the issuance of Amendment 42 to CPR 22, it has come to the attention of the Office of Price Stabilization that some manufacturers, whose principal business is the manufacture of fabric gloves covered by CPR 45, Rev. 1, also produce some dipped plastic and dipped rubberized fabric gloves, for which under Amendment 42 to CPR 22 they would have to establish ceiling prices under this regulation.

The purpose of this amendment is to give effect to the underlying purpose of Amendment 42 to CPR 22, namely, to permit manufacturers of dipped plastic and dipped rubberized fabric gloves whose principal glove production consists of dipped gloves to establish ceiling prices for both their dipped and undipped fabric gloves under CPR 22 and to leave manufacturers of such gloves whose principal production consists of undipped fabric gloves under the coverage of CPR 45, Rev. 1. This method would eliminate wherever possible the necessity of many manufacturers having to establish their ceiling prices under two regulations. However, manufacturers who produce a substantial amount of both dipped plastic or dipped rubberized fabric gloves and undipped fabric gloves will be required to establish ceiling prices for their dipped gloves under CPR 22 and for the undipped fabric gloves under CPR 45, Rev. 1. Concurrently with the issuance of this amendment, an amendment to CPR 45, Rev. 1 is being issued to reflect the changes incorporated in this amendment.

In view of the corrective nature of this amendment, special circumstances have rendered formal consultation with industry representatives impracticable. Informal consultations were had, however, with representatives of industry, including trade associations, and their views were taken into consideration in the drafting of this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 22, as amended, is further amended in the following respects:

1. Appendix A, paragraph (f) is amended as follows:

(a) By striking out the last sentence in the first paragraph of (f) (1) which reads as follows: "Plastic dipped fabric gloves are not excepted by this paragraph" and substituting therefor the following sentence: "Not excepted by this paragraph are (i) fabric gloves when produced by a manufacturer whose net sales of dipped plastic and dipped rubberized fabric gloves in his last fiscal year ending not later than December 31, 1951, amounted to 75 percent or more of his total glove sales, (ii) dipped plastic and dipped rubberized fabric gloves when produced by a manufacturer whose net sales of these gloves in his last fiscal year ending not later than December 31, 1951, amounted to 25 percent or more of his total glove sales."

(b) By striking out in the "examples of commodities excepted under this paragraph" the parenthetical phrase "(but not including plastic dipped fabric gloves)" and substituting instead "(but not including fabric gloves and dipped plastic and dipped rubberized fabric gloves specified in paragraph (f) (1) of Appendix A)".

(c) By striking out in the "examples of commodities not included in this exception" the words "plastic dipped fabric gloves" and substituting instead the words "fabric gloves when produced by a manufacturer whose net sales of dipped plastic and dipped rubberized fabric gloves in his last fiscal year ending not later than Decembe. 31, 1951, amounted to 75 percent or more of his total glove sales, dipped plastic and dipped rubberized fabric gloves when produced by a manufacturer whose net sales of these gloves in his last fiscal year ending not later than December 31, 1951, amounted to 25 percent or more of his total glove sales", so that Appendix A, paragraph (f) will now read as follows:

(f) (1) Apparel, apparel furnishings or apparel accessories, except as specifically stated below, made of textile materials, leather, fur, plastic, other materials which are normally sewed as part of the assembly operation, or a combination of any such materials; (2) component parts manufactured exclusively for further processing into or for use as a part of apparel, apparel furnishings or apparel accessories. Not excepted by this paragraph are (i) fabric gloves when produced by a manufacturer whose net sales of dipped plastic and dipped rubberized fabric gloves in his last fiscal year ending not later than December 31, 1951, amounted to 75 percent or more of his total glove sales, (ii) dipped plastic and dipped rubberized fabric gloves when produced by a manufacturer whose net sales of these gloves in his last fiscal year ending

not later than December 31, 1951, amounted to 25 percent or more of his total glove sales.

The following are examples of commodities excepted under this paragraph:

(1) Men's, boys', women's, misses', children's, toddlers' and infants' outerwear, underwear, headwear, hosiery, foundation garments, lounging and leisure wear, bedwear, althletic and special sports apparel, bathing suits and trunks, theatrical and masquerade costumes, ecclesiastical and academic vestments, occupational service apparel, burial clothes, gloves (but not including fabric gloves and dipped plastic and dipped rubberized fabric gloves specified in paragraph (f) (1) of Appendix A), handbags, pocketbooks, purses, wallets, billfolds, coin purses, money belts, muffs, muff bags, key cases, belts, suspenders, garters, garter belts, hose supporters, arm bands, ear muffs, sun shades, scarfs, mufflers, stoles, separate collars, separate cuffs, neckties, neckwear, handkerchiefs, abdominal supporters, sanitary belts and aprons, infants' bands, bibs and other articles of a similar nature.

(2) Hat bodies, sewn pockets, brassiere and underwear straps, collar and cuff sets, shoulder pads, shields, waist bands, unassembled garments sold in package form, and other similar manufactured articles.

The following are examples of commodities not included in this exception: Slide fasteners, buttons and other closures, thread, artificial flowers, cuff links, separate buckles, tie clips, feathers, diapers, key chains, plumes, umbrellas, parasols, canes, costume jewelry, ribbons, compacts, cigarette cases, barrettes, hair furnishings, hair nets, tobacco pouches, carrying cases, dressing cases, brief cases and luggage, fabric gloves when produced by a manufacturer whose net sales of dipped plastic or dipped rubberized fabric gloves in his last fiscal year ending not later than December 31, 1951, amounted to 75 percent or more of his total glove sales, dipped plastic and dipped rubberized fabric gloves when produced by a manufacturer whose net sales of these gloves in his last fiscal year ending not later than December 31, 1951, amounted to 25 percent or more of his total glove sales.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154).

Effective date. This amendment is effective June 30, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 25, 1952.

[F. R. Doc. 52-7083; Filed, June 25, 1952; 10:41 a. m.]

[Ceiling Price Regulation 30, Amdt. 33]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

APPROVAL OF MANUFACTURERS' LIST PRICES AND DISCOUNT STRUCTURES THAT WERE IN PROCESS OF REVISION ON JUNE 24, 1950

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 33 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment permits manufacturers covered by Ceiling Price Regulation 30 who before June 24, 1950, were in the process of revising their published list prices and in connection therewith revising their discount structure to apply for and receive approval of these published list prices and discount structures provided they were actually issued and put into effect on or before January 25, 1951.

The reason for this amendment is that it has been found that several manufacturers were actually engaged in the revision of their price lists and discount structures before June 24, 1950, and it has been determined that these manufacturers should be permitted to apply for and receive approval of these list prices and discount structures so that resellers of the commodities produced by these manufacturers may use these list prices in determining their ceiling prices. The Director has determined that these changes having been in process before Korea, and not put into effect because of the magnitude of the work involved, were not the result of inflationary pressures.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 30 is hereby amended in the following respects:

Section 3 is amended by adding a new paragraph (d) to read as follows:

(d) Notwithstanding any of the foregoing provisions of this section, if you were in the process of revising your published list prices before June 24, 1950, and incidentally in connection therewith, revising the discount structures, and if you actually issued and made effective these new published list prices and discount structures on or before January 25, 1951, you may apply to the Director of Price Stabilization for approval of these list prices and discount structures in accordance with the provisions of this paragraph. Your application must be filed by registered mail with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., and must contain the following information:

(1) Your business name and address.

(2) A copy of your published list price before and after the revision and a copy of your published list price showing any increases you have made in these list prices to reflect increases in your ceiling prices determined in accordance with Ceiling Price Regulation 30 or any appropriate supplementary regulation thereto.

(3) A copy of your discount schedule, if any, before and after revision.

(4) A statement by a responsible officer of your company that this revision was actually in process before June 24, 1950, and that the revised list prices and discount schedules were made effective on or before January 25, 1951.

You may not use these published list prices or certify to your resellers that these published list prices have been approved until the Director of Price Stabilization has approved in writing those published list prices.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 33 to Ceiling Price Regulation 30 shall become effective June 25, 1952.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 25, 1952.

[F. R. Doc. 52-7084; Filed, June 25, 1952; 10:42 a. m.]

[Ceiling Price Regulation 45, Amdt. 3 to Revision 1]

CPR 45—APPAREL MANUFACTURERS' GENERAL CEILING PRICE REGULATION

MODIFICATION OF COVERAGE OF DIPPED AND UNDIPPED FABRIC GLOVES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 83d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment to Ceiling Price Regulation 45, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 2 to CPR 45, Revision 1, removed manufacturers of dipped plastic fabric gloves from the coverage of CPR 45, Revision 1. Simultaneously, CPR 22 was amended to cover those manufacturers. Since the manufacturing processes of dipped plastic and dipped rubberized fabric gloves are similar, and manufacturers of dipped rubberized fabric gloves are required to establish ceiling prices under CPR 22, those amendments were issued so that manufacturers of both types of gloves could establish ceiling prices for these commodities under CPR 22, the regulation considered most suitable for this industry, instead of finding themselves governed by two different regulations.

Since the issuance of those amendments, however, it has come to the attention of the Office of Price Stabilization that some manufacturers, whose principal business is the manufacture of fabric gloves covered by CPR 45, Revision 1, also produce some dipped plastic and dipped rubberized fabric gloves for which they would have to determine their ceiling prices under CPR 22.

The purpose of this amendment is to give full effect to the underlying purpose of Amendment 2, namely, to permit manufacturers of dipped plastic and dipped rubberized fabric gloves to use for those gloves the regulation under which they establish ceiling prices for most of their gloves. The effect of this amendment, therefore, is to place under CPR 45, Revision 1 those manufacturers of dipped plastic and dipped rubberized fabric gloves whose principal glove production consists of undipped gloves, and to place under CPR 22 those manufacturers of the same products whose principal glove production consists of dipped

gloves. However, manufacturers who produce a substantial amount of both dipped and undipped fabric gloves will be required to establish their ceiling prices for the dipped fabric gloves under CPR 22 and for the undipped fabric gloves under CPR 45, Revision 1. Concurrently with the issuance of this amendment, an amendment to CPR 22 is being issued to reflect the changes incorporated in this amendment.

In view of the corrective nature of this amendment, special circumstances have rendered formal consultation with industry representatives impracticable. Informal consultations were had, however, with representatives of the industry, including trade associations, and their views were taken into consideration in the drafting of this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 45, Revision 1, as amended, is further amended in the following respects:

1. Section 1 is amended as follows:

By striking out the sentence which reads as follows: "Specifically excluded from this regulation, however, are plastic dipped fabric gloves.", and substituting therefor the following sentence: "Specifically excluded from this regulation, however, are (1) fabric gloves when produced by a manufacturer whose net sales of dipped plastic and dipped rubberized fabric gloves in his last fiscal year ending not later than December 31, 1951, amounted to 75 percent or more of his total glove sales, (2) dipped plastic and dipped rubberized fabric gloves when produced by a manufacturer whose net sales of these gloves in his last fiscal year ending not later than December 31, 1951, amounted to 25 percent or more of his total glove sales."; so that section 1 will now read as follows:

SECTION 1. *Sellers and sales covered by this regulation.* This regulation covers you if you are a manufacturer located in the 48 states of the United States, the District of Columbia, or the Territory of Hawaii (not including any other territories or possessions) of (a) apparel, apparel furnishings, or apparel accessories, except as specifically excluded below, made of textile materials, leather, fur, plastic, other materials which are normally sewed as part of the assembly operation, or a combination of any such materials, or (b) component parts manufactured exclusively for further processing into or for use as a part of apparel, apparel furnishings, or apparel accessories, or (c) footwear made of felted, knitted, or woven fabrics, or combinations of such fabrics, and which is not normally made by shoe or rubber manufacturers, or (d) overshoes and similar footwear worn for weather protection, which are made entirely of plastic except for trimmings and closures. This regulation applies to the sale, including sales at retail, of any such articles of which you are the manufacturer provided that they are fabricated within the 48 states of the United States, the District of Columbia, or any of the territories or possessions of the United States. Specifically excluded from this regulation, however, are (1) fabric gloves when produced by a manufacturer whose net sales of dipped plastic and dipped rubberized fabric gloves in his last fiscal year ending not later than December 31, 1951, amounted to 75 percent or more of his total glove sales, (2) dipped plastic and dipped rubberized fabric gloves when produced by a manufacturer whose net sales of these gloves in his last fiscal year ending not later than December 31, 1951, amounted to 25 percent or more of his total glove sales. Examples of articles which are covered by this regulation and of articles which are not covered by this regulation, are contained in Appendix A.

This regulation supersedes the General Ceiling Price Regulation for sales by manufacturers of the articles covered by this regulation.

2. Appendix A is amended as follows:

By striking out, immediately after the word "gloves" in paragraph (1) of that portion of Appendix A entitled "Examples of articles covered by this regulation", the following parenthesized words "(but not including plastic dipped fabric gloves)" and substituting therefor the following parenthesized words "(as limited by Section 1 of this regulation)", so that subparagraph (1) will now read as follows:

1. Men's, boys', women's, misses', children's, toddlers' and infants' outerwear, underwear, headwear, hosiery, foundation garments, lounging and leisure wear, bedwear, athletic and special sports apparel, bathing suits and trunks, theatrical and masquerade costumes, ecclesiastical and academic vestments, occupational service apparel, burial clothes, gloves (as limited by section 1 of this regulation), handbags, pocketbooks, purses, wallets, billfolds, coin purses, money belts, muffs, muff bags, key cases, belts, suspenders, garters, garter belts, hose supporters, arm bands, ear muffs, sun shades, scarfs, mufflers, stoles, separate collars, separate cuffs, neckties, neckwear, handkerchiefs, abdominal supporters, sanitary belts and aprons, infants' bands, bibs, and other articles of a similar nature.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date: This amendment is effective June 30, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 25, 1952.

[F. R. Doc. 52-7085; Filed, June 25, 1952; 10:42 a. m.]

[Ceiling Price Regulation 67, Amdt. 8]

CPR 67—RESELLERS' CEILING PRICES FOR MACHINERY AND RELATED MANUFACTURED GOODS

USE OF MANUFACTURERS' PUBLISHED LIST PRICES AND DISCOUNTS WHERE MANUFACTURER HAS RECEIVED SPECIFIC APPROVAL OF THOSE LIST PRICES AND DISCOUNTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 8 to Ceiling Price Regulation 67 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment is being issued concurrently with Amendment 33 to Ceiling Price Regulation 30. That amendment adds a provision to Ceiling Price Regulation 30 which will permit manufacturers who were in the process of revising published list prices and discount structures on June 24, 1950, to apply for and receive approval of such list price and discount structures provided they were made effective before January 25, 1951. The purpose of this amendment to Ceiling Price Regulation 67 is to permit resellers of commodities produced by manufacturers who have received approval of their published list prices pursuant to Amendment 33 to Ceiling Price Regulation 30 to use those published list prices to determine their ceiling prices under the provisions of Ceiling Price Regulation 67.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 67 is amended in the following respects:

Section 3 (a) (4) is amended to read as follows:

(4) All discounts from the published list price (including cash discounts) which the manufacturer, who issued the price list, currently has in effect must be the same as the discounts which that manufacturer had in effect on June 24, 1950, unless that manufacturer has received approval of revised or changed discounts in accordance with the applicable ceiling price regulation. If the manufacturer has received approval of revised or changed discounts you may use this section or section 4 to determine your ceiling prices.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective June 25, 1952.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 25, 1952.

[F. R. Doc. 52-7086; Filed, June 25, 1952; 10:42 a. m.]

[Ceiling Price Regulation 67, Supplementary Regulation 2]

CPR 67—RESELLER'S CEILING PRICE FOR MACHINERY AND RELATED MANUFACTURED GOODS

SUPPLEMENTARY REGULATION 2—MANUFACTURERS' SUGGESTED RESALE PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary

Regulation 2 to Ceiling Price Regulation 67 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation permits resellers of commodities covered by Ceiling Price Regulation 67 to use, in certain instances, manufacturers' published price lists to establish their ceiling prices, although discounts or margins established by these published price lists are not the same as those that were in effect on June 24, 1950. However, before such new price lists may be used, the reseller must receive a written notification from the manufacturer that the price list has been approved by the Office of Price Stabilization. This approval will be granted under certain conditions. Section 3 (a) (4) of CPR 67 presently prohibits the use of manufacturers' published price lists by resellers where the discounts are not identical to those in effect on June 24, 1950.

It has long been the practice of resellers of parts and accessories covered by this regulation to establish their resale price on the basis of manufacturers' published price lists. It has likewise been the historical practice for manufacturers to make minor changes in price relationships between items on this list, or between categories of items on this list, reflecting changes in marketing practices. These changes are in the nature of equalizations and their net effect is fundamentally unrelated to the basic problems of price stabilization. Changes of this nature have taken place since June 24, 1950, and are still continuing. The Office of Price Stabilization recognizes that over a period of time in an active economy, such price lists cannot maintain an absolutely static structure with respect to individual item discount practices. Such discount changes, not affecting either the manufacturers' net prices or the over-all realization or margin of the resellers, make the price lists unavailable to the reseller under the present rule in CPR 67. Because of the number of parts that are sold, the inability of the resellers to use a published price list works a hardship on them.

This supplementary regulation, therefore, authorizes the use of a price list in which such discount changes have been made, provided, however, that the manufacturer shows to the satisfaction of the Office of Price Stabilization that the proposed changes will not affect the manufacturers' net ceiling price per item and will not increase the over-all realization or the average margin enjoyed by the reseller under the prior price list.

Resellers affected by the changes in manufacturers' price lists are not required under this supplementary regulation to establish their ceiling prices on the basis of the new published price lists, but may avail themselves of the provisions of section 4 of CPR 67, which generally, incorporates the technique of applying percentage markups over net invoice costs.

In the opinion of the Director of Price Stabilization the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

In the formulation of this supplementary regulation there has been consultation with industry representatives, including trade representatives, to the extent practicable, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Applications for the approval of new price lists.
3. Applicability of CPR 67.
4. Definitions.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161 Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation permits you, if you are a reseller of commodities subject to Ceiling Price Regulation 67 to establish, at your option, your ceiling prices on the basis of a manufacturers' published list price even though the discounts from the published list price issued by the manufacturer are different from the discounts which the manufacturer had in effect on June 24, 1950, provided the manufacturer files the report required by section 2 and notifies you in writing that his proposed published price list has been approved by the Office of Price Stabilization. A statement that "this price list has been approved by the Office of Price Stabilization" will be acceptable.

SEC. 2. *Application for the approval of new price lists*—(a) *Application.* Before any new price list may be put into effect under this supplementary regulation, the manufacturer issuing the price list must file the information required by paragraph (b) with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C. The manufacturer may not put the new price lists into effect without prior written approval of the Director of Price Stabilization. Discount schedules for commodities subsequently added to the price lists must follow the same pattern and incorporate the same general methods as those previously approved by the Director. The Director may approve, disapprove, modify, or request further information concerning an application for the establishment of a new price list.

(b) *Report.* The manufacturer's report must contain the following information:

(1) A description of the changes to be made in list prices or discounts.

(2) A statement that the manufacturer's net ceiling price per item will not be affected by the changes.

(3) A statement that the weighted average margins of resellers using the proposed price list will be the same or less than the weighted average margins of resellers using the price list in effect during the period April 1 through June 24, 1950. In determining the weighted average margins, the basis of weighting shall be the resellers' volume of sales during the last six months' period prior to the filing of this report for which data are available or the last fiscal year for which data are available. If resellers' volume of sales is not available, the manufacturer's volume of sales may be used as the basis of weighting.

SEC. 3. *Applicability of CPR 67.* All of the provisions of CPR 67 which are not inconsistent with this supplementary regulation remain applicable to you.

SEC. 4. *Definitions.* All terms used in this supplementary regulation have the same meaning as in CPR 67.

Effective date. This supplementary regulation to Ceiling Price Regulation 67 shall become effective June 25, 1952.

NOTE: The reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 25, 1952.

[F. R. Doc. 52-7087; Filed, June 25, 1952; 10:42 a. m.]

[General Overriding Regulation 9, Amdt. 21]

GOR 9—EXEMPTION FROM PRICE CONTROL OF IMPORTED REFINED COPPER AND COPPER REFINED FROM IMPORTED COPPER-BEARING MATERIALS AND IMPORTED SCRAP

SALES OF FOREIGN PRIMARY COPPER AND SALES OF COPPER BY REFINERS USING IMPORTED RAW MATERIALS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 9 exempts from price control all sales of foreign primary copper and domestic copper refined from imported ores, concentrates, and imported raw materials including scrap.

Under the terms of an agreement between the United States and Chile, the price of Chilean copper being sold to the United States was set at 27½ cents per pound. Domestic refiners using foreign raw materials were also required to pay prices equivalent to the 27½ cent price for their foreign materials.

In order to place copper refined domestically from imported material on an equal price basis with refined copper imported from Chile SR 46 to the GCPR was issued on July 26, 1951.

On May 8, 1952, Chile terminated its agreement to sell a portion of its copper output to the United States at 27½ cents per pound. Henceforth, all Chilean copper would be offered through ordinary commercial channels for sale at the best prices procurable.

Since supply of domestic copper is insufficient to meet defense and essential civilian requirements, the Acting Director of Defense Mobilization on May 21, 1952, established and announced the policy which would be followed by the

United States Government in order to encourage the importation of copper. The text of this announcement follows:

The agreement between the United States Government and the Chilean Government allocated 80 percent of the production of companies in Chile controlled by United States interests for purchase and import into the United States by U. S. private firms at 27½ cents a pound. It left the remainder of the production of copper in Chile to sell at much higher prices on the world market. This agreement was terminated by Chile as of May 8, 1952. The termination of this agreement and the copper strike in Chile, together wth the Chilean stoppage of copper shipments since May 8 have produced shortages of copper for essential uses of the mobilization program in the United States.

It is necessary to meet the difficulties raised by these shortages and to permit the resumption of imports from Chile. It is also desirable to encourage an increase in the imports of copper from foreign countries, including Chile, over those previously prevailing. Consequently, the Government of the United States has adopted the following policies to meet the emergency:

1. In order to encourage importation of adequate supplies of foreign copper by private buyers under existing conditions, the United States Government is acting through the Office of Price Stabilization to permit brass mills and copper wire mills to add to their ceiling prices an amount representing 80 percent of any increase in cost of foreign copper above the 27½ cents level contained in the Chilean agreement which has just been terminated. The Office of Price Stabilization will periodically announce the permitted increases in ceiling prices which will be adjusted to reflect variations in foreign prices of copper and in the ratio of foreign copper used. The initial adjustments will become effective on June 16, 1952.

Comparable treatment will be provided for other primary users of refined foreign copper, including copper produced in this country from foreign ores and concentrates. The impact of any changes in the ceiling prices of primary copper products at subsequent levels of production and distribution will be treated in accordance with the existing pricing standards of the Office of Price Stabilization.

2. It is the policy of the United States Government not to make now and to avoid in the future changes in the existing price ceilings on domestically refined copper, brass mill scrap, or copper, or copper alloy scrap.

3. In order to maintain a uniform price policy on brass mill and copper wire mill products, taking into account the changes in the price of foreign copper, the National Production Authority will allocate foreign and domestic supplies as equitably as practicable among United States users. Allocation will be used to equalize the impact of any higher foreign price for copper and to permit in this way the import of more copper for the total use of the United States defense program.

The Acting Director of the Office of Defense Mobilization sent a letter to the Administrator of the Economic Stabilization Agency directing him to act in accordance with this announced policy in so far as the stabilization program is concerned.

The Economic Stabilization Administrator, in turn, instructed the Director of the Office of Price Stabilization to issue whatever regulations might be necessary to adjust the ceiling prices in accordance with the decision of the Acting Director of the Office of Defense Mobilization.

This amendment to GOR 9 is issued in conformance with this directive and carries out the policy set forth by the ODM.

Importers of refined copper and refiners using imported ores, concentrates and scrap to produce refined copper may now purchase such materials at whatever price is necessary to secure the materials. In addition, this amendment removes sales of foreign primary copper from the provisions of the General Ceiling Price Regulation. In the present unstable state of the world market there is no method of determining with any degree of exactitude what this price, or these prices, will be. The price of 27½ cents per pound set forth in SR 46 is no longer applicable. GOR 9 is amended to exempt from price control the sale of imported refined copper and copper made from imported copper-bearing materials and scrap.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Section 2 (a) of General Overriding Regulation 9 is amended by adding the following subparagraphs:

(26) *Sales of foreign primary copper.* Sales of primary copper metal refined outside of the United States, its territories or posesssions by any process of electrolysis or fire refining to a grade or form suitable for fabrication, provided, that any person selling or purchasing foreign primary copper prepares and keeps for inspection by the Director of Price Stabilization for a period of two years records of each sale showing: The date of the sale; the name and address of the buyer; the name and address of the seller from whom any refined foreign copper is purchased; a statement that the commodity sold or purchased is foreign primary copper and the grade of the commodity sold or purchased; the price charged or paid; the point or points of shipment; and the amount of the transportation charges, if any, and by whom they were paid.

(27) *Certain sales of copper by refiners using imported raw materials.* (i) Sales by a copper refiner who purchases and uses imported raw materials of a quantity of refined copper equivalent to the recoverable copper content of the imported raw materials purchased by such refiner since June 16, 1952, and for which such refiner made payment to the seller on the basis of a price for copper in excess of 24½ cents per pound provided that the records specified in subdivision (ii) of this subparagraph are kept. "Imported raw materials" means ore, concentrates and other copper bearing materials (including scrap) produced outside the United States, its territories and possessions.

(ii) Any person selling refined copper produced from imported raw materials must prepare and keep for inspection by the Director of Price Stabilization for a period of two years records showing his name and address, the recoverable copper content of each kind of imported raw material purchased by him subsequent to June 16, 1952, the location of the refinery at which such material was received and the quantity of each shipment of refined copper shipped by him from each of his refineries pursuant to the exemption granted herein.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective June 25, 1952.

NOTE: The record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 25, 1952.

[F. R. Doc. 52-7089; Filed, June 25, 1952; 10:42 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-90, as Amended June 24, 1952]

M-90—COLOR TELEVISION

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amended order lifts all the prohibitions previously in effect as to the manufacture of color television equipment except those relating to home-type color television. It provides that persons desiring to manufacture this type of equipment, may, under certain conditions, apply for permission to do so. The usual provision as to records and reports is added as section 6, and the two subsequent sections are renumbered accordingly.

REGULATORY PROVISIONS

Sec.
1. What this order does.
2. Definitions.
3. Permission to manufacture.
4. Equipment and items exempted.
5. Request for adjustment or exception.
6. Records and reports.
7. Communications.
8. Violations.

AUTHORITY: Sections 1 to 8 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR 1951 Supp.

SECTION 1. *What this order does.* This order regulates the manufacture of equipment designed to receive color television of the type used in home reception, and items solely designed to permit or facilitate the reception of color television in such equipment. The manufacture of color television equipment for experimental, defense, industrial, and certain hospital and educational uses, and of other color television equipment not of a

type used in home reception, is permitted.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or of any other government.

(b) "Controlled material" means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, as from time to time amended.

(c) "NPA" means the National Production Authority.

SEC. 3. *Permission to manufacture.* (a) The activities to which this section applies are the production and the assembly of home-type television sets designed to receive or capable of receiving color television, and of products, attachments, and parts for home-type television sets if such products, attachments, and parts are designed solely to permit or facilitate, or are capable only of permitting or facilitating, the reception of color television.

(b) Each person desiring to undertake any of these activities shall apply to NPA on Form NPAF–207 for permission to do so, and shall not commence any such activities without such permission. Such applications will be considered in the light of the following criteria as to each applicant:

(1) That he has, prior to the effective date of this order as amended, made a substantial expenditure of funds in research and development regarding home color television products, or in the production of such products, or in preparation therefor;

(2) That the number of persons he will employ in the activities mentioned in paragraph (a) of this section does not exceed, in any of the occupations mentioned in List A of this order, the number employed as of the effective date of this order as amended;

(3) That his Government contracts and subcontracts for the production or development of electronics products are on schedule or, if they are behind schedule, that the delay is not related to his employment of persons described in List A of this order;

(4) That he will refuse no Government contract or subcontract because of the activities proposed in his application; and

(5) That he will be able to produce, without any supplemental allotment of controlled materials (except as may be required to correct imbalances), the products as to which he is making application.

(c) Such application shall be deemed a representation to NPA that the applicant's employment of each type of personnel described in his application who are engaged in and will be engaged in these activities will not exceed the numbers stated in the application during the time for which permission is granted.

(d) Permission, if granted, will apply only to those periods which may be specified by NPA. The applicant may make renewed application to cover later periods, furnishing the information specified in Form NPAF–207, excluding data already furnished in previous applications.

(e) Permission shall be deemed to be revoked, as to any applicant who has obtained permission, if and when he (1) refuses, because of the permitted activities, to accept any Government contract or subcontract offered to him, or (2) employs, in the activities to which this section applies, a greater number of any of the types of personnel listed in List A of this order than the number of that type stated in his application.

SEC. 4. *Equipment and items exempted.* (a) Nothing in this order shall be deemed to prohibit the production, assembly, or use of any commodity, equipment, accessory, part, assembly, product, or material, of any kind, in accordance with the provisions of NPA Order M–71 (Priorities Assistance to Technical and Scientific Laboratories), or in accordance with the requirements or specifications of the Department of Defense or the Atomic Energy Commission, as set forth in any contract calling for the delivery of any product for the manufacture of which the Department of Defense or the Atomic Energy Commission shall have allotted controlled material.

(b) Nothing in this order shall be deemed to prohibit the manufacture of color television equipment for use on a closed circuit, or color television equipment of a type not used in or designed for use in home-type receivers.

SEC. 5. *Request for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 6. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 7. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M–90.

SEC. 8. *Violations.* Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect June 24, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

LIST A OF NPA ORDER M–90

Occupation	*Definition*
Electronic technician	Fabricates, installs, maintains, and repairs electronic apparatus. Constructs and modifies electronic assemblies and components, following engineering drawings, sketches, or verbal instructions and using a comprehensive knowledge of complex and varied test, assembly, and repair procedures to insure proper diagnosis, adjustment, and operation of such equipment. Tests, calibrates, adjusts, and repairs electronic equipment, replacing and interchanging component parts with precision machinists' and electricians' tools and electronic testing and auxiliary equipment. This excludes those concerned with service and repair of radio and television broadcasting equipment and receivers.

LIST A OF NPA ORDER M-90—Continued

Occupation	Definition
Engineer draftsman, design	Makes design drawings of machines, products, processes, instruments, or structures, to assist in developing experimental ideas evolved by design engineers. Prepares working plans and detail drawings, working from rough or detail sketches and specifications and employing his knowledge of engineering methods and practices to solve fabrication or construction problems. Designs lesser parts and assemblies or limited structures in harmony with overall engineering plans and designs. Verifies dimensions of parts and materials, and relationship of one part to another as well as the various parts to the whole structure, using an extensive knowledge of the various machines, products, or processes peculiar to the specialized activity in which the work occurs.
Engineer, professional	Performs functions requiring the application of engineering principles and other scientific knowledge when those functions are of such a level of difficulty as to require the application of a knowledge of the engineering, physical, and mathematical sciences equivalent to that acquired through the completion of at least a 4-year professional engineering curriculum leading to a bachelor's degree in an accredited college or university.
Physicist	Conducts research and applies fundamental principles of the science to industrial problems.
Tool and die maker	Constructs, repairs, maintains, and calibrates machine shop tools, jigs, fixtures, and instruments, and also dies used for metal-forming work.

[F. R. Doc. 52-7033; Filed, June 24, 1952; 12:34 p. m.]

[CMP Regulation No. 5 as amended June 25, 1952]

CMP REG. 5—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES, INSTALLATION, AND MINOR CAPITAL ADDITIONS UNDER THE CONTROLLED MATERIALS PLAN.

This regulation, as amended, is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this regulation prior to its amendment, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this regulation was rendered impracticable because the regulation affects almost all industries. In the formulation of this regulation as amended, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the amendment affects almost all industries.

This amendment affects CMP Regulation No. 5 by amending paragraphs (h), (j), and (l) of section 2; paragraph (c) of section 6; paragraph (a) of section 7; section 11; item 2 of Schedule I; and footnote 1 to item 4 of Schedule I.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Definitions.
3. How a person obtains controlled materials.
4. How a person obtains products and materials other than controlled materials.
5. Status of orders rated DO-97.
6. Limitations on the use of the allotment symbol MRO and the rating DO-MRO.
7. Quarterly MRO quotas.
8. Charges against MRO quota.
9. Materials obtained for the benefit of another.
10. Use of materials for another purpose.
11. Certification.
12. Supplier receiving orders improperly bearing the allotment symbol MRO or the rating DO-MRO.
13. Relation to other regulations and orders.
14. Records and reports.
15. Request for adjustment or exception.
16. Communications.
17. Violations.

AUTHORITY: Sections 1 to 17 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. *What this regulation does.* The purpose of this regulation is to provide a uniform procedure by which any business enterprise, Government agency, or public or private institution may obtain limited quantities of controlled materials and products and materials other than controlled materials for maintenance, repair, and operating supplies (hereinafter collectively referred to as "MRO"), as well as for minor capital additions and installations. It provides for the establishment of separate quarterly quotas for MRO, for minor capital additions, and for installation. The regulation does not limit the quantity of materials and products which a person may obtain without using the procedure provided in this regulation. However, a person who makes use of the procedure provided in this regulation to obtain, in any quarter, materials or products for MRO in excess of 20 percent of his MRO quota shall comply with the MRO quota limitations whether or not he is able to obtain additional MRO materials and products without using the procedure provided in this regulation. This regulation establishes separate minimum quotas for MRO, minor capital additions, and installation in the amount of $1,000 for each in any one quarter. The procedure provided in this regulation may not be used to secure materials for personal or household use.

SEC. 2. *Definitions.* As used in this regulation:

(a) "Person" means any individual, partnership, corporation, association, or other organized group, and includes any business enterprise, Government agency, or institution. If, in the calendar year 1950, or in his last fiscal year ending prior to March 1, 1951, a person operated more than one plant, division, department, branch, or other unit, and maintained for any such unit separate records showing expenditures therefor for MRO, he may elect to treat any one or more of such units as a separate person for the purposes of this regulation, or to treat his entire operation within the United States, its territories and possessions, as a single person. An election so made may not thereafter be changed without prior written approval of NPA.

(b) "NPA" means the National Production Authority.

(c) "Business enterprise" means a lawful activity conducted for profit in the United States, its territories or possessions.

(d) "Government agency" means the United States, its territories and possessions, any of the 48 States, or the District of Columbia, any political subdivision of any of the foregoing, and any agency of any of the foregoing which is not a business enterprise.

(e) "Institution" means any lawful organization, public or private, within the United States, its territories and possessions, which is neither a business enterprise nor a Government agency. It includes, but is not limited to schools, libraries, hospitals, churches, clubs, and welfare establishments.

(f) "Maintenance" means the minimum upkeep necessary to continue any plant, facility, or equipment in sound working condition. "Repair" means, with respect to any person, the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like, where such repair is not capitalized according to his established accounting practice. Neither "maintenance" nor "repair" includes the replacement of any plant, facility, or equipment; nor does it include the improvement of any plant, facility, or equipment by replacing material which is still in sound working condition with material of a new or different kind, quality, or design.

(g) "Operating supplies" means, in the case of a business enterprise, any kind of material carried by such business enterprise as operating supplies according to its established accounting practice. It includes items, such as hand tools, purchased by an employer for sale to his employees solely for use in his business if such items would have constituted operating supplies had they been issued to

employees without charge. It also includes expendable tools, jigs, dies, and fixtures, used on production equipment, regardless of the accounting practice of the business enterprise. "Operating supplies" means, in the case of a Government agency or an institution, any item used by the agency or institution in conducting any activity or rendering any service, provided the total cost of such item (excluding the purchaser's cost of labor) does not exceed $50 or the item is normally consumed in the course of operation within 1 year from the date of acquisition and was not carried as capital equipment by the agency or institution according to its established accounting practice. Materials incorporated in a product are operating supplies if, but only if, they were carried as operating supplies according to the established accounting practice of the business enterprise, Government agency, or institution.

(h) "Minor capital addition" means any replacement, improvement, or addition of a kind carried by a person as capital according to his established accounting practice, the total cost of which (excluding the purchaser's cost of labor) does not exceed $1,000 for any one complete capital addition. The term "one complete capital addition" includes a group of items which are purchased together or as part of a single project or plan. No capital addition may be subdivided for the purpose of bringing it or any part of it within this definition. In computing the cost of such replacement, improvement, or addition, for the purpose of this regulation, the cost of all materials obtained for such replacement, improvement, or addition shall be included whether or not acquired by use of an allotment symbol or rating, and whether or not ordered or delivered at different times and obtained from different suppliers. Where the capital addition, replacement, or improvement involves construction, as defined in Revised CMP Regulation No. 6, the procedure provided for herein may not be used to obtain materials therefor.

(i) "MRO" means materials for maintenance, repair, and operating supplies. It does not include capital additions or installation. The terms "minor capital addition" and "installation" are specifically used whenever they are intended to be included within the provisions of this regulation. Materials produced or obtained for sale to other persons or for installation upon or attachment to the property of another person, and materials required for the production of such materials are not "MRO" as to the producer or supplier.

(j) "Installation" means the setting up or relocation of machinery, fixtures, or equipment in position for service and connection thereof to existing service facilities, where such setting up or relocation is not and does not occur in conjunction with construction, as defined in Revised CMP Regulation No. 6, and is carried by a person as capital according to his established accounting practice. Where such installation occurs in a building, structure, or project which has been completed for less than 1 year and is part of the construction "project," as defined in Revised CMP Regulation No. 6, it shall not be considered installation for the purposes of this regulation.

(k) "Material" means any raw, in-process, or manufactured commodity, equipment, component, accessory, part, or product of any kind.

(l) "Controlled material" means steel, copper, and aluminum in the forms and shapes indicated in CMP Regulation No. 1.

(m) "Established accounting practice" means, in the case of a person in operation on or before December 31, 1950, the accounting practice in use by such person on that date or on the last day of his operation prior thereto. In the case of a person whose operation begins after December 31, 1950, the term means the accounting practice established by him in such operation.

SEC. 3. *How a person obtains controlled materials.* (a) Subject to the quantity restrictions contained in section 7 of this regulation, every business enterprise, Government agency, and institution shall have the right to use the allotment symbol MRO on delivery orders for controlled materials for maintenance, repair, and operating supplies, installation, and minor capital additions. The assignment of the right to use the allotment symbol MRO does not constitute the making of an allotment of the amount of controlled materials for MRO, installation, and minor capital additions specified in section 7 of this regulation. The allotment symbol MRO may be used to acquire only that amount of controlled material acutally needed for MRO, installation, and minor capital additions.

(b) A delivery order bearing the symbol MRO, together with the certification provided for in section 11 of this regulation, shall constitute an authorized controlled material order for the purposes of all CMP regulations. A person who manufactures a Class A or Class B product, not for sale but solely for his own use as MRO, material for installation, or as a minor capital addition, may obtain the controlled material required for such production by using the allotment symbol MRO. A person who produces such a Class A or Class B product may not apply to an industry division or claimant agency on Form CMP-4A or on Form CMP-4B for an allotment of controlled material or for a DO rating for such production, nor may he use the self-authorization procedure provided for in Direction 1 to CMP Regulation No. 1.

SEC. 4. *How a person obtains products and materials other than controlled materials.* (a) Subject to the quantity restrictions contained in section 7 of this regulation, every business enterprise, Government agency, and institution shall have the right to use the rating DO-MRO on delivery orders for products and materials other than controlled materials for maintenance, repair, and operating supplies, installation, and minor capital additions. The rating DO-MRO may be used to acquire such products and materials only up to that portion of the amount specified in section 7 of this regulation which is actually needed for the purposes of MRO, installation, and minor capital additions.

(b) A delivery order bearing the rating DO-MRO, together with the certification provided for in section 11 of this regulation, shall constitute a rated order with an allotment symbol for the purpose of all NPA regulations and orders. A person who manufactures a Class A, Class B, or any other product, not for sale but for his own use as MRO, material for installation, or as a minor capital addition, may obtain the products and materials other than controlled material required for such production by using the rating DO-MRO.

SEC. 5. *Status of orders rated DO-97.* (a) A producer of a Class A or of a Class B product who has, prior to July 6, 1951, the original effective date of this regulation, extended an order bearing the rating DO-97 to a supplier of a controlled material, and who has received an authorized production schedule with a related allotment, shall charge against such allotment the amount of any controlled material which he receives pursuant to such order.

(b) A delivery order calling for delivery after the third quarter, 1951, placed prior to July 6, 1951, the original effective date of this regulation, in accordance with the provisions of NPA Reg. 4 and bearing the rating DO-97, must be converted into an authorized controlled material order or into a rated order with the allotment symbol MRO, as the case may be, in accordance with the provisions of CMP Regulation No. 3. In the absence of such conversion on or before August 15, 1951, the order shall constitute an unrated order.

(c) A delivery order for MRO, installation materials, or minor capital additions placed after the effective date of this regulation and in accordance with its provisions must bear the allotment symbol MRO or the rating DO-MRO, as the case may be.

SEC. 6. *Limitations on the use of the allotment symbol MRO and the rating DO-MRO*—(a) *Prohibited list.* The allotment symbol MRO and the rating DO-MRO shall not be applied or extended by a person to obtain any of the materials or articles listed in Schedules I and II of this regulation, or to obtain any equipment pursuant to any lease.

(b) *Limitation for minor capital additions.* The allotment symbol MRO and the rating DO-MRO may not be applied by a person to obtain in any quarter (calendar or fiscal) materials for a total of minor capital additions exceeding in the aggregate 10 percent of the quarterly MRO quota established as provided in section 7 of this regulation, or $1,000, whichever is greater. This paragraph shall be construed to place no limitation on the acquisition of additional products or materials other than controlled materials for minor capital additions without the use of the allotment symbol MRO or of the rating DO-MRO.

(c) *Limitation for installation.* The allotment symbol MRO and the rating DO-MRO may not be applied by a person to obtain in any quarter (calendar or fiscal) installation materials for a total of installations exceeding in the aggregate 10 percent of the quarterly

MRO quota established as provided in section 7 of this regulation, or $1,000, whichever is greater.

(d) *Limitation on extension of the rating DO–MRO and of the allotment symbol MRO.* A producer of Class A products who receives a delivery order with the rating DO–MRO shall not extend such rating, but shall obtain his production materials in accordance with the provisions of section 15 of CMP Regulation No. 1. A producer of Class B products who receives a delivery order with the rating DO–MRO shall not extend such rating, but shall obtain his production materials from an industry division or claimant agency, as provided in CMP Regulations No. 1 and No. 3. All other suppliers may extend a DO–MRO rating to obtain materials to the extent permitted by and in accordance with the provisions of NPA Reg. 2. A supplier of controlled material who receives a delivery order bearing the allotment symbol MRO shall not extend such symbol.

SEC. 7. *Quarterly MRO quotas*—(a)—*The quota base.* A person who applies the allotment symbol MRO to buy controlled materials or the rating DO–MRO to buy products and materials other than controlled materials must establish his quarterly MRO quota. The MRO quota base to be used in establishing the MRO quota shall include all expenditures made by a person in the base period for MRO (except for materials referred to in Schedule II of this regulation), even though such MRO consists of materials listed in Schedule I of this regulation. Capital expenditures during the base period shall not be included in the quota base.

(b) *Standard base period.* The standard base period is the calendar year 1950.

(c) *Fiscal year base period.* If a person operated on the basis of a fiscal year prior to March 1, 1951, he may elect to take as his base period his last fiscal year ending prior to that date. After such an election has been made, it may not thereafter be changed without the prior written approval of NPA.

(d) *Standard quota.* The standard quarterly quota is 30 percent of the quota base.

(e) *Seasonal quota.* A person may elect to establish seasonal quarterly quotas. An election so made may not be changed thereafter without the prior written approval of NPA. Such seasonal quota for any quarter shall be 120 percent of the expenditures by the person for MRO during the corresponding quarter in 1950, or during the corresponding quarter in the last fiscal year ending prior to March 1, 1951.

(f) *Persons not in operation throughout the base period.* A person not in operation throughout the entire base period shall establish and report his quarterly MRO quota as follows:

(1) *Person operating during part of the base period.* A person who was in operation during a part but not all of the calendar year 1950 (or of his last fiscal year ending prior to March 1, 1951) shall determine his quota base by computing the amount he would have spent for MRO (except for materials referred to in Schedule II of this regulation) had he continued the same rate of expenditure throughout the year as during that part of the year in which he was in operation, making necessary corrections to compensate for seasonal or other exceptional characteristics of the period in which he was in operation. His standard quarterly MRO quota shall be 30 percent of his quota base. If he elects to establish seasonal quarterly quotas, as above provided, he may divide 120 percent of his quota base into four quarterly MRO quotas in accordance with the seasonal demands of the activity in which he is engaged.

(2) *Persons not in operation during the base period.* If a person was not in operation in any part of the calendar year 1950 (or of his last fiscal year ending prior to March 1, 1951), his quarterly MRO quota (standard or seasonal) shall be the amount which he determines to be necessary for his operation. The quota of such person may not, however, exceed $5,000 for any quarter without the prior written approval of NPA. Request for authority to establish a quota in excess of $5,000 in any quarter shall be submitted on Form NPAF–78 in accordance with the provisions of section 15 of this regulation.

(3) *Notice to NPA.* A person who establishes a quarterly MRO quota in excess of $1,000 pursuant to subparagraphs (1) or (2) of this paragraph (f) shall, within 30 days after he first applies either the allotment symbol MRO or the rating DO–MRO, notify NPA in writing of the quota he has established, the base period he has used, the method he used in computing his quota, and the corrections he made for seasonal or other factors.

(g) Any person whose quarterly MRO quota, as calculated pursuant to the provisions of this section, is less than $1,000, may, nevertheless, order (or receive) in any quarter MRO aggregating not more than $1,000.

(h) *Future use of increased quotas.* If the quarterly MRO quota of a person is increased by specific authorization of NPA pursuant to section 15 of this regulation, the increased quota becomes his standard quota unless the increase is granted on a temporary or seasonal basis or is otherwise restricted by the terms of the authorization. An increased quarterly MRO quota granted as a seasonal quota may be used only in the corresponding quarter of subsequent years.

(i) *Increase not retroactive.* An increase in quota granted pursuant to section 15 of this regulation is not retroactive.

SEC. 8. *Charges against MRO quota*—(a) *When to charge against quota.* A person may elect to charge expenditures against his MRO quota for the quarter (calendar or fiscal) in which his purchase order specifies delivery is to be made (the delivery basis), or against his MRO quota for the quarter in which the materials are actually received (the receipts basis). Having elected to use one method, he may not thereafter change to the other without the prior written approval of NPA.

(b) *What to charge against quota.* A person shall charge against his MRO quota in each quarter all expenditures for materials for MRO (except materials referred to in Schedule II of this regulation) ordered for delivery (or, if on the receipts basis, received) during the quarter, whether or not obtained by use of the allotment symbol MRO or the rating DO–MRO.

(c) *Exception.* Any person who uses the allotment symbol MRO or the rating DO–MRO to order for delivery (or, if on the receipts basis, to receive) during any quarter materials for MRO which aggregate not more than 20 percent of his MRO quota for such quarter, may, in addition, order for delivery (or receive) in such quarter other material for MRO without use of the allotment symbol MRO or the rating DO–MRO and without regard to quota limitations.

SEC. 9. *Materials obtained for the benefit of another*—(a) *Materials supplied by a repairman.* Any business enterprise (such as a repair shop) engaged in doing maintenance, repair, or installation work for any other person may apply the allotment symbol MRO to obtain controlled materials and the rating DO–MRO to obtain products and materials other than controlled materials to the same extent that such other person would be entitled to apply the allotment symbol or rating if he were doing the work himself. The cost of materials so obtained shall be charged to the MRO quota of the person for whom the work is done.

(b) *Obligation to supply MRO under lease or other agreement.* A person who is obligated to maintain, repair, or operate any plant, facility, or equipment, under the terms of any lease or other agreement for the use of such property by another person, may apply the allotment symbol MRO or the rating DO–MRO to obtain materials needed for such purposes. Expenditures for such materials shall be charged to the MRO quota of the person thus applying the allotment symbol MRO or the rating DO–MRO except that, if his purchase is made on a reimbursable basis for the account of the person using the property, the MRO quota of the latter shall be charged.

SEC. 10. *Use of materials for another purpose.* If a person has obtained materials for MRO, installation, or minor capital additions by applying the allotment symbol MRO on the rating DO–MRO, as the case may be, he may use them for a different purpose if under an authorized production schedule or authorized construction schedule he could have applied any other allotment number or symbol or rating to acquire them for such purpose. However, if he does use them for such other purpose, he may not use the allotment symbol MRO or the rating DO–MRO to replace them in inventory. To replace such materials in inventory he may use only the allotment number or symbol, or DO rating under such authorized production or construction schedule which he might have applied to obtain them for the purpose for which he used them. If he uses such materials obtained by applying the al-

lotment symbol MRO or rating DO-MRO for such other purpose, his records must be adequate to show that his purchases of material are substantially proportionate to his authorized uses.

SEC. 11. *Certification.* A delivery order for MRO or materials for installation or minor capital additions bearing the allotment symbol MRO or the rating DO-MRO must contain a certification in addition to such allotment symbol or rating. Unless another form of certification is specifically prescribed by an applicable order or regulation of NPA, such certification shall be in the following words:

Certified under CMP Regulation No. 5

and shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to use the allotment symbol or the rating under the provisions of this regulation to obtain the materials covered by the delivery order.

SEC. 12. *Supplier receiving orders improperly bearing the allotment symbol MRO or the rating DO-MRO.* When a supplier has received a purchase order bearing the allotment symbol MRO or the rating DO-MRO, which symbol or rating he knows, or has reason to believe, has been used in violation of any NPA regulation or order, the supplier shall refuse to accept it as an authorized controlled material order or rated order, as the case may be. In such event, the supplier shall advise the buyer of his reason for such refusal, and shall also advise NPA of his receipt of the order, his refusal to accept it, and his reason for such refusal.

SEC. 13. *Relation to other regulations and orders*—(a) *Rules governing use of the allotment symbol MRO or the rating DO-MRO.* Any person who is entitled to obtain materials for his MRO, installation, or minor capital additions under any other NPA regulation or order, shall be governed by the provisions of such other order or regulation and shall not use the allotment symbol MRO or the rating DO-MRO as provided in this regulation.

(b) *Inventory limitations.* Nothing in this regulation shall be deemed to authorize any person to order or receive any controlled materials if acceptance thereof would increase his inventory beyond the limitations permitted by CMP Regulation No. 2, or the limit fixed in any other applicable NPA regulation or order. Nothing in this regulation shall be deemed to authorize any person to order or receive products or materials other than controlled materials if acceptance thereof would increase his inventory beyond a practicable minimum working inventory as defined in NPA Reg. 1 or beyond the limit fixed in any other applicable NPA order or regulation.

(c) *Delegations to Government agencies.* This regulation does not revoke or prevent the use of any authority delegated by NPA to any other Government agency whereby such agency may use allotment symbols other than MRO or ratings other than DO-MRO, as the case may be, for direct procurement of its own requirements of MRO, installation material, or minor capital additions.

(d) *Other regulations and orders.* Nothing in this regulation shall be construed to relieve any person from the obligation of complying with such limitations on acquisition or use of materials or such other provisions as may be contained in any applicable regulation or order of NPA or with any order of any other competent authority.

SEC. 14. *Records and reports*—(a) *Records to be kept.* Each person who makes any use of the allotment symbol MRO or the rating DO-MRO pursuant to this regulation shall make and preserve at his regular place of business for at least 3 years accurate and complete records showing what his quarterly MRO quotas are, how he computed them, the factual justification for them and for corrections or revisions thereof, any elections made as to the use of seasonal quotas, methods of figuring quotas and charges against them, or other options exercised, and records of receipts, deliveries, inventories, production, and use of all materials for MRO, installation, or minor capital additions, whether or not by use of the allotment symbol or rating, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this regulation. This requirement does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) *Inspection and audit.* All records required by this regulation shall be made available for inspection and audit by duly authorized representatives of NPA, at the usual place of business where maintained.

(c) *Other records and reports.* Persons subject to this regulation shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 15. *Request for adjustment or exception.* (a) Any person affected by any provision of this regulation may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this regulation, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. A request for an adjustment of the MRO quota shall be submitted in writing in triplicate on Form NPAF-78; a request for an adjustment of the installation or minor capital addition quotas and a request for an exception to any other provision of this regulation shall be submitted by letter in triplicate and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

(b) Subject to the provisions of paragraphs (g) and (h) of section 7 of this regulation, any adjustments or exceptions granted under the provisions of NPA Reg. 4 shall continue to apply under this regulation.

SEC. 16. *Communications.* All communications concerning this regulation shall be addressed to the National Production Authority, Washington 25, D. C., Ref: CMP Regulation No. 5.

SEC. 17. *Violations.* Any person who wilfully violates any provision of this regulation or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this regulation, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation, as amended, shall take effect June 25, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

SCHEDULE I TO CMP REGULATION NO. 5

Materials to which the allotment symbol MRO or the rating DO-MRO may not be applied or extended under CMP Regulation No. 5:

1. All basic, organic, or inorganic chemicals, their intermediates and derivatives other than compounded end products not customarily sold as chemicals.

2. Products appearing in List A of NPA Order M-47A, as that order may be amended from time to time (except in item 28 of section VIII of List A), or in List B of said order.

3. Nylon fibers and yarns.

4. Packaging materials and containers, except steel nails, steel wire, and steel strapping used for packaging purposes.[1]

[1] Copper and aluminum controlled material producers shall continue to obtain packaging materials and containers in the manner prescribed by section 21 of CMP Regulation No. 1 and by Direction 2 to CMP Regulation No. 1. Steel controlled material producers shall obtain packaging materials and containers in the manner prescribed by NPA Order M-105. Controlled material producers shall not use the allotment symbol MRO or the rating DO-MRO to obtain packaging materials and containers.

5. Paint, lacquer, and varnish.
6. Paper and paper products.
7. Paperboard and paperboard products.
8. Printed matter.
9. Photographic film.
10. Pneumatic tires and tubes.
11. Waterfowl feathers.
12. Printing plates.

SCHEDULE II TO CMP REGULATION NO. 5

Materials contained in NPA Reg. 2, List A, as the same may be amended or supplemented from time to time.

[F. R. Doc. 52-7082; Filed, June 25, 1952; 10:38 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 14 to Schedule B]

[Rent Regulation 2, Amdt. 12 to Schedule B]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

VIRGINIA AND TEXAS

Effective June 26, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 23d day of June 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

1. A new item 57 is added to Schedule B of Rent Regulation 1, reading as follows:

57. *Provisions relating to the Magisterial Districts of Butts Road, Tanners Creek and Washington in Norfolk County, Virginia, portions of the Norfolk, Virginia, Defense-Rental Area (Item 342 of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in section 41, the words "May 1 to September 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are hereby amended to the extent necessary to carry these provisions of item 57 into effect.

2. A new item 61 is added to Schedule B of Rent Regulation 2, reading as follows:

61. *Provisions relating to the Magisterial Districts of Butts Road, Tanners Creek and Washington in Norfolk County, Virginia, portions of the Norfolk, Virginia, Defense-Rental Area (Item 342 of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in sections 42 and 99, the words "May 1 to September 30" are substituted and wherever the words "October 1 to May 31" appear in section 99, the words "October 1 to April 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are hereby amended to the extent necessary to carry these provisions of item 61 into effect.

3. A new item 58 is added to Schedule B of Rent Regulation 1, reading as follows:

58. *Provisions relating to the Magisterial Districts of Deep Creek, Pleasant Grove and Western Branch in Norfolk County, Virginia, portions of the Portsmouth, Virginia, Defense-Rental Area (Item 342a of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in section 41, the words "May 1 to September 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are hereby amended to the extent necessary to carry these provisions of item 58 into effect.

4. A new item 62 is added to Schedule B of Rent Regulation 2, reading as follows:

62. *Provisions relating to the Magisterial Districts of Deep Creek, Pleasant Grove and Western Branch in Norfolk County, Virginia, portions of the Portsmouth, Virginia, Defense-Rental Area (Item 342a of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in sections 42 and 99, the words "May 1 to September 30" are substituted and wherever the words "October 1 to May 31" appear in section 99, the words "October 1 to April 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are hereby amended to the extent necessary to carry these provisions of item 62 into effect.

5. A new item 59 is added to Schedule B of Rent Regulation 1, reading as follows:

59. *Provisions relating to Comal County, Texas, a portion of the San Marcos, Texas, Defense-Rental Area (Item 328 of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in section 41, the words "May 1 to September 15" are substituted.

(b) All provisions of this regulation insofar as they are applicable to Comal County, Texas, are hereby amended to the extent necessary to carry these provisions of item 59 into effect.

6. A new item 63 is added to Schedule B of Rent Regulation 2, reading as follows:

63. *Provisions relating to Comal County, Texas, a portion of the San Marcos, Texas, Defense-Rental Area (Item 328 of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in sections 42 and 99, the words "May 1 to September 15" are substituted and wherever the words "October 1 to May 31" appear in section 99, the words "September 16 to April 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to Comal County, Texas, are hereby amended to the extent necessary to carry these provisions of item 63 into effect.

[F. R. Doc. 52-6997; Filed, June 25, 1952; 8:54 a. m.]

[Rent Regulation 3, Amdt. 11 to Schedule B]

[Rent Regulation 4, Amdt. 4 to Schedule B]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

VIRGINIA AND TEXAS

Effective June 26, 1952, Rent Regulation 3 and Rent Regulation 4 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 23d day of June 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

1. A new item 14 is added to Schedule B of Rent Regulation 3, reading as follows:

14. *Provisions relating to the Magisterial Districts of Butts Road, Tanners Creek and Washington in Norfolk County, Virginia, portions of the Norfolk, Virginia, Defense-Rental Area (Item 342 of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in sections 27 and 53, the words "May 1 to September 30" are substituted, and wherever the words "October 1 to May 31" appear in section 53, the words "October 1 to April 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are hereby amended to the extent necessary to carry the provisions of this item 14 into effect.

2. A new item 14 is added to Schedule B of Rent Regulation 4, reading as follows:

14. *Provisions relating to the Magisterial Districts of Butts Road, Tanners Creek and Washington in Norfolk County, Virginia, portions of the Norfolk, Virginia, Defense-Rental Area (Item 342 of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in sections 26 and 55, the words "May 1 to September 30" are substituted and wherever the words "October 1 to May 31" appear in section 55, the words "October 1 to April 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are hereby amended to the extent necessary to carry the provisions of this item 14 into effect.

3. A new item 15 is added to Schedule B of Rent Regulation 3, reading as follows:

15. *Provisions relating to the Magisterial Districts of Deep Creek, Pleasant Grove and Western Branch in Norfolk County, Virginia, portions of the Portsmouth, Virginia, Defense-Rental Area (Item 342a of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in sections 27 and 53, the words "May 1 to September 30" are substituted and wherever the words "October 1 to May 31" appear in section 53, the words "October 1 to April 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are hereby amended to the extent necessary to carry the provisions of this item 15 into effect.

4. A new item 15 is added to Schedule B of Rent Regulation 4, reading as follows:

15. *Provisions relating to the Magisterial Districts of Deep Creek, Pleasant Grove and Western Branch in Norfolk County, Virginia, portions of the Portsmouth, Virginia, Defense-Rental Area (Item 342a of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in sections 26 and 55, the words "May 1 to September 30" are substituted and wherever the words "October 1 to May 31" appear in section 55, the words "October 1 to April 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to the territory to which this item of Schedule B relates, are hereby amended to the extent necessary to carry the provisions of this item 15 into effect.

5. A new item 16 is added to Schedule B of Rent Regulation 3, reading as follows:

16. *Provisions relating to Comal County, Texas, a portion of the San Marcos, Texas, Defense-Rental Area (Item 328 of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in sections 27 and 53, the words "May 1 to September 15" are substituted and wherever the words "October 1 to May 31" appear in section 53, the words "September 16 to April 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to Comal County, Texas, are hereby amended to the extent necessary to carry these provisions of item 16 into effect.

6. A new item 16 is added to Schedule B of Rent Regulation 4, reading as follows:

16. *Provisions relating to Comal County, Texas, a portion of the San Marcos, Texas, Defense-Rental Area (Item 328 of Schedule A):*

(a) Wherever the words "June 1 to September 30" appear in sections 26 and 55, the words "May 1 to September 15" are substituted and wherever the words "October 1 to May 31" appear in section 55, the words "September 16 to April 30" are substituted.

(b) All provisions of this regulation insofar as they are applicable to Comal County Texas, are hereby amended to the extent necessary to carry these provisions of item 16 into effect.

[F. R. Doc. 52-6998; Filed, June 25, 1952; 8:55 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular No. 1824]

PART 259—DISPOSAL OF MATERIALS

DISPOSALS AND RIGHTS UNDER OTHER STATUTES; FREE-USE PRIVILEGE

In order to clarify the rights obtained under free use permits by political entities or agencies and individuals, associations or non-profit corporations as well as to provide for the disposition of proceeds received from sale of materials from school section lands in Alaska, the following amendments are made in Part 259.

1. Paragraphs (f) and (g) of § 259.3 are amended to read:

§ 259.3 *Disposals which must be made under other statutes; rights under other statutes.* * * *

(f) The purchaser of materials shall have a prior right to the materials in accordance with the terms and provisions of the contract of purchase as against any subsequent claimant or entryman of the land affected.

(g) The proceeds derived from such sales shall be deposited in the Treasury of the United States and shall be disposed of in the same manner as moneys received from the sale of public lands, except that moneys received from the disposal of materials from school section lands in Alaska, reserved under the act of March 4, 1915 (38 Stat. 1214; 48 U. S. C. 353), as amended, shall be deposited in the United States Treasury for payment annually to the Territory of Alaska, pursuant to the act of August 31, 1950 (64 Stat. 571; 43 U. S. C. 1187).

2. Paragraphs (a) and (d) of § 259.21 are amended to read:

§ 259.21 *Free-use privilege; limitations.* (a) Any person, or any association or corporation not organized for profit, may be permitted to take and remove, without charge, materials subject to the act, for use other than for commercial or industrial purposes or resale. Such permittee is granted a right to remove materials while the permit remains in force and, in accordance with the provisions of the permit, as against a subsequent applicant who may wish to obtain the same material by purchase. However, the materials may not be removed by the permittee after the land has been included in a valid claim by reason of settlement, entry, or similar rights obtained under the public land laws.

* * * * *

(d) A free-use permit may be issued to any Federal, State, or Territorial agency, unit, or subdivision, including municipalities, without limitation as to the number of permits or as to the value of the materials to be severed, extracted, or removed, provided that the applicant makes a satisfactory showing to the regional administrator that such materials will be used for a public project. Such permits shall constitute a superior right to remove the materials and will continue in full force and effect, in accordance with its terms and provisions, as against any subsequent claim to or entry of the lands.

* * * * *

(Sec. 1, 61 Stat. 681; 43 U. S. C. 1185)

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6957; Filed, June 25, 1952; 8:46 a. m.]

Appendix—Public Land Orders

[Public Land Order 837]

ALASKA

WITHDRAWING PUBLIC LAND FOR USE OF DEPARTMENT OF THE ARMY IN CONNECTION WITH LUTAK INLET DRY CARGO DOCK

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Army in connection with the Lutak Inlet Dry Cargo Dock:

COPPER RIVER MERIDIAN

T. 30 S., R. 59 E.,
Sec. 10, lots 4, 5, 6, 7, 8, 11, S½SW¼SE¼SW¼, NW¼SW¼SE¼SW¼, S½NW¼SW¼SW¼, SW¼NE¼SW¼SW¼, and S½SW¼SW¼;
Sec. 15, N½NE¼NW¼.

The areas described aggregate 63.98 acres.

It is intended that the lands described shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which reserved.

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6958; Filed, June 25, 1952; 8:47 a. m.]

[Public Land Order 838]

CALIFORNIA

CORRECTING THE LAND DESCRIPTION IN PUBLIC LAND ORDER 807 OF FEBRUARY 27, 1952

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, the land description in the fourth paragraph of Public Land Order No. 807 of February 27, 1952, which revoked in part Public Land Order No. 125 of May 20, 1943, so far as such description relates to land in section 12, T. 5 N., R. 3 W., San Bernardino Meridian, is hereby corrected to read as follows:

SAN BERNARDINO MERIDIAN

T. 5 N., R. 3 W.,
Sec. 12, NW¼NE¼ and SW¼.

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6960; Filed, June 25, 1952; 8:47 a. m.]

[Public Land Order 839]

ALASKA

PARTIALLY REVOKING PUBLIC LAND ORDER 487 OF JUNE 16, 1948, AND RESERVING PORTION OF RELEASED LANDS FOR PUBLIC RECREATIONAL PURPOSES

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. 141), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 487 of June 16, 1948, withdrawing the public lands within certain described areas in Alaska for classification and examination, and in aid of proposed legislation, is hereby revoked so far as it affects the following-described lands, which are within the boundaries of the Kenai National Moose Range, established by Executive Order No. 8979 of December 16, 1941, and within the excepted areas described in that order which were set apart for use and disposition pursuant to the public-land laws applicable to Alaska:

SEWARD MERIDIAN

T. 5 N., R. 9 W.,
Sec. 10, lots 3 and 4.
T. 6 N., R. 11 W.,
Sec. 33, NE¼ and N½SE¼;
Sec. 34.
T. 6 N., R. 12 W.,
Sec. 14, E½;
Sec. 23, NE¼.

The areas described aggregate 1,439.60 acres.

2. Subject to valid existing rights, the following-described public lands, which are portions of the lands described in paragraph 1 hereof, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Bureau of Land Management, Department of the Interior, for public recreational purposes:

SEWARD MERIDIAN

T. 5 N., R. 9 W.,
Sec. 10, lots 3 and 4.

The areas described aggregate 79.60 acres.

3. The status of the lands in Tps. 6 N., Rs. 11 and 12 W., S. M., described in paragraph 1 of this order, shall not be changed until it is so provided by an order of classification to be issued by the Regional Administrator, Bureau of Land Management, Anchorage, Alaska, opening such lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, with a ninety-one-day preference-right period for filing such applications by veterans of World War II and others entitled to preference.

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6961; Filed, June 25, 1952; 8:47 a. m.]

[Public Land Order 840]

ALASKA

CORRECTING LAND DESCRIPTION IN PUBLIC LAND ORDER 794 OF JANUARY 23, 1952

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, the land description in Public Land Order No. 794 of January 23, 1952, which reserved lands for the use of the Department of the Air Force for military purposes, so far as such description relates to land in section 8, T. 2 S., R. 4 E., Fairbanks Meridian, is hereby corrected to read as follows:

FAIRBANKS MERIDIAN

T. 2 S., R. 4 E.,
Sec. 8, SW¼.

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6963; Filed, June 25, 1952; 8:48 a. m.]

[Public Land Order 841]

NEVADA

WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF THE ARMY FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Army for military purposes:

MOUNT DIABLO MERIDIAN

T. 19 S., R. 62 E.,
Sec. 36, E½.
T. 20 S., R. 62 E.,
Sec. 1, NE¼.
T. 19 S., R. 63 E.,
Sec. 28, S½;
Sec. 29, S½;
Sec. 30, SE¼;
Secs. 31, 32, 33;
Sec. 34, W½ and SE¼.
T. 20 S., R. 63 E.,
Sec. 3, W½ and NE¼;
Secs. 4, 5, 6;
Sec. 8, NE¼;
Sec. 9, N½.

The area described aggregates approximately 6,312.94 acres.

This order shall take precedence over but not otherwise affect the order of November 3, 1936, of the Secretary of the Interior establishing Nevada Grazing District No. 5, so far as such order affects any of the above-described lands.

It is intended that the lands described above shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6964; Filed, June 25, 1952; 8:48 a. m.]

[Public Land Order 842]

ALASKA

EXCLUDING CERTAIN LANDS FROM TONGASS NATIONAL FOREST, AND RESERVING PORTIONS OF EXCLUDED LANDS FOR VARIOUS PUBLIC PURPOSES OR FOR CLASSIFICATION; PARTIALLY REVOKING EXECUTIVE ORDER NO. 9114 OF MARCH 28, 1942

By virtue of the authority vested in the President by section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 475), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. So much of the following-described areas in Alaska as has not heretofore been eliminated from the Tongass National Forest is hereby excluded from the said forest, and the boundaries of the said forest are modified accordingly:

NORTH TONGASS HIGHWAY

Beginning at corner No. 10, U. S. Survey No. 1761, Ketchikan elimination from Tongass National Forest, thence,

N. 61° W., 81.00 chains to corner No. 1 of Forest Exchange Survey 237;

N. 0° 20' W., 19.76 chains to corner No. 2, F. E. S. 237;

West, 40.00 chains to corner No. 6, F. E. S. 237;

N. 0° 38' E., 8.39 chains to corner No. 5, F. E. S. 237;

N. 0° 15' E., 20.00 chains to corner No. 2, U. S. S. 813;

West, 30.00 chains to corner No. 4, U. S. S. 815;

North, 20.00 chains to corner No. 3, U. S. S. 815;

N. 44° 00' W., 75.00 chains approximately, to a point from which corner No. 4, U. S. S. 2603, bears S. 57° 51' W., 10.00 chains;

N. 4° 00' E., 135.00 chains approximately, to a point from which corner No. 4, U. S. S. 2807, bears N. 51° 59' W., 30.00 chains;

N. 35° 00' E., 104.00 chains approximately, to a point from which corner No. 4, U. S. S. 2805, bears N. 54° 32' W., 10.00 chains;

N. 54° 32' W., 22.00 chains to a point on mean high tide line of Clover Passage;

Southwesterly, southerly, and southeasterly, 825.00 chains, approximately, along mean high waterline of Clover Passage, Tongass Narrows, Totem Bight, and Mud Bay to corner No. 12, U. S. S. 1761;

N. 23° 36' E., 18.85 chains to corner No. 11, U. S. S. 1761;

N. 73° 39' E., 51.45 chains to point of beginning.

The tract as described contains approximately 3,310 acres.

SOUTH TONGASS HIGHWAY

Beginning at corner No. 2 of U. S. Survey No. 1627, approximately 8 miles southeast of Ketchikan, thence,

N. 39° 00' E., 37.50 chains, approximately, to a point from which corner No. 11, U. S. S. 2402, bears S. 80° 34' E., 6.00 chains;

N. 23° 00' E., 82.50 chains, approximately;

N. 29° 00' W., 51.00 chains, to corner No. 4, U. S. S. 2801;

N. 0° 01' E., 7.385 chains, to corner No. 5, U. S. S. 2801;

North, 17.30 chains;

East, 44.40 chains, approximately, to corner No. 15, U. S. S. 2403;

S. 55° 13' E., 5.62 chains to corner No. 1, lot 90, U. S. S. 2403;

S. 50° 00' E., 1.00 chain to corner No. 2, lot 92, U. S. S. 2403;

S. 54° 49' E., 3.66 chains to corner No. 20, M. C., U. S. S. 2403;

Southerly, 258.00 chains, approximately, along mean high tide line of Herring Bay and George Inlet to S. E. M. C., U. S. S. 1627;

N. 45° 00' W., 30.48 chains to point of beginning.

The tract as described contains approximately 543 acres.

CRAIG

Beginning at corner No. 7 M. C., U. S. Survey No. 2611, approximately ½ mile southeast of Craig, thence,

Northerly, along line of mean high tide of Shelter Cove and Klawok Inlet;

Southeasterly, along line of mean high tide of Crab Bay to a point from which corner No. 3, U. S. S. 2612, bears S. 76° 30' W., 3.50 chains;

S. 30° 00' E., 5.40 chains to shore of Port Bagial;

Southerly and westerly, 56.00 chains, approximately, along line of mean high tide of Port Bagial to a point S. 45° E. from corner No. 7, U. S. S. 2611;

N. 45° 00' W., 2.50 chains to point of beginning.

The tract as described contains approximately 133 acres.

WRANGELL

Tract A. Beginning at corner No. 4, U. S. Survey No. 1760, thence,

East, 120.00 chains to a point on the line of mean high tide of Eastern Passage;

Northerly, 140.00 chains, approximately, along line of mean high tide of Eastern Passage to corner No. 5, U. S. S. 1760; South, 91.49 chains to point of beginning.

The tract as described contains approximately 402 acres.

Tract B. Beginning at corner No. 1, M. C., U. S. Survey No. 1760, thence,

S. 54° 30' E., 7.54 chains to corner No. 2, U. S. S. 1760;
N. 68° 00' E., 20.00 chains on line 2-3, U. S. S. 1760;
S. 24° 30' E., 206.00 chains to a point from which corner No. 46, U. S. S. 2321, bears S. 66° W., 15.50 chains;
East, 56.50 chains;
South, 92.00 chains;
S. 11° 00' W., 72.00 chains to a point from which corner No. 2, U. S. S. 2589, bears N. 72° W., 15.00 chains;
S. 42° 00' W., 108.00 chains to a point from which U. S. C. & G. S. Station "Oar 2" bears West, 20 chains;
S. 30° 00' E., 170.00 chains, approximately;
S. 29° 00' E., 51.00 chains, approximately, to a point from which the mouth of Pat Creek bears N. 26° W., 7.00 chains;
West, 9.00 chains to a point on the line of mean high tide on eastern shore of Zimovia Strait;
Northerly, 700.00 chains, approximately, along line of mean high tide of Zimovia Strait to point of beginning.
The tract as described contains approximately 2,565 acres.

Tract C. All of an unnamed island and connecting high tide lands, situated in Zimovia Strait, at approximate latitude 55° 21' N., longitude 132° 28' W., and on which U. S. C. & G. S. Station "Boat 2" is located.
The tract as described contains approximately 5 acres.

SITKA

Beginning at a point on line 2-3, U. S. Survey No. 1763, Sitka Elimination from Tongass National Forest, from which corner No. 2, U. S. S. 1763 bears S. 64° 55' 50" W., 40 chains, thence,
N. 30° 00' W., 208.00 chains, approximately, to a point from which corner No. 3, U. S. S. 2420, bears S. 60° W., 25.00 chains;
N. 28° 00' E., 170.00 chains to a point on the left bank and mouth of an unnamed stream which enters Starrigavin Bay, from which U. S. C. & G. S. Station "Harbor" bears approximately S. 73° W., 70 chains;
Southerly, 240.00 chains, approximately, along line of mean high tide of Starrigavin Bay, Harbor Point, and Sitka Sound to corner No. 1, U. S. S. 1763;
Southeasterly, 208.22 chains with meanders of U. S. S. 1763 to corner No. 2 thereof;
N. 64° 55' 50" E., 40.00 chains to point of beginning.
The tract as described contains approximately 1,504 acres.

DOUGLAS ISLAND

Beginning at corner No. 6, M. C., U. S. Survey 1762, thence,
South, 40.00 chains to ½ mile post between corners 5 and 6 of U. S. S. 1762;
N. 81° 00' W., 260.00 chains, approximately, to corner 2, U. S. S. 1082;
South, 47.87 chains;
West, 34.00 chains;
N. 49° 00' W., 9.00 chains, approximately, from which corner No. 3, H. E. S. 119, bears N. 39° 36' E., 14.29 chains;
N. 49° 00' W., 1.00 chain;
Northerly and easterly along line of mean high tide of Fritz Cove and Gastineau Channel to point of beginning.
The tract as described contains approximately 1,845 acres.

GLACIER HIGHWAY

Tract A. Beginning at corner No. 8, U. S. Survey 1762, thence,
N. 81° W., 53.00 chains, approximately, to corner No. 15, H. E. S. 174;
West, 84.00 chains to corner No. 8, U. S. S. 1536;
S. 66° 26' E., 34.61 chains to corner No. 9, U. S. S. 1536;
S. 4° 54' E., 9.67 chains to corner No. 10, U. S. S. 1536;
Easterly, along line of mean high tide of Gastineau Channel to corner No. 7, M. C., U. S. S. 1762;
North, 15.65 chains to point of beginning.
The tract as described contains approximately 254 acres.

Tract B. Beginning at corner No. 14, U. S. Survey 1536, thence,
N. 87° 22' W., 53.27 chains to corner No. 1, U. S. S. 1536;
N. 13° 01' E., 240.00 chains to 3-mile post between corners Nos. 1 and 2, U. S. S. 1536;
S. 66° 00' W., 154.00 chains, approximately, to corner No. 3, U. S. S. 687;
West, 28.34 chains to corner No. 2, U. S. S. 687;
S. 60° 00' W., 138.00 chains to a point from which corner No. 6 of the Auke Village Camp Ground, a Forest Service Recreation Site, as shown on map of section 8, Glacier Highway Development Plan, Tongass National Forest, as surveyed by Leonard Barrett in 1925, on file with the Forest Service, Juneau, Alaska, bears South 30 chains;
South, 30.00 chains to corner No. 6 of the above-described Auke Village Camp Ground;
S. 60°00' W., 2.00 chains to corner No. 1, M. C., of the above-described Auke Village Camp Ground;
Easterly, along the line of mean high tide around Indian Point, along Auke Bay, and around Mendenhall Peninsula to point of beginning.
A small unnamed island in Auke Bay approximately 6 chains offshore from H. E. S. No. 81;
A small unnamed island in Favorite Channel approximately 20 chains south of Lot H, U. S. S. 2389.
The tracts as described aggregate approximately 3,066 acres.

Tract C. Beginning at corner No. 3 of the Auke Village Camp Ground, Forest Service Recreation Site, as shown on map of Section 8, Glacier Highway Development Plan, Tongass National Forest, surveyed by Leonard Barrett in 1925, and filed with the Forest Service, Juneau, Alaska, thence,
North, 24.00 chains to corner No. 4 of the above-described Auke Village Camp Ground;
N. 25° 00' W., 165.00 chains, approximately, to a point from which corner No. 8, U. S. S. 802, bears approximately North 105 chains;
North, 105.00 chains, approximately, to corner No. 8, U. S. S. 802;
North, 37.50 chains to corner No. 7, U. S. S. 802;
N. 12° 00' W., 280.00 chains to corner No. 4, H. E. S. 167;
N. 4° 54' E., 11.41 chains to corner No. 3 and M. C., H. E. S. 167;
N. 4° 54' E., 1.83 chains across Peterson Creek to corner No. 4 and M. C., H. E. S. 103;
N. 88° 08' E., 11.04 chains to corner No. 3, H. E. S. 103;
N. 0° 12' E., 58.41 chains to corner No. 2, H. E. S. 103, identical with corner No. 7, H. E. S. 145;
S. 89° 46' E., 3.44 chains to corner No. 6, H. E. S. 145;
N. 32° 22' E., 24.52 chains to corner No. 5, H. E. S. 145;
N. 2° 00' E., 46.28 chains to corner No. 4, H. E. S. 145;
N. 61° 13' W., 16.45 chains to corner No. 3, H. E. S. 145;
S. 45° 31' W., 4.73 chains to corner No. 2, H. E. S. 145, identical with corner No. 5, H. E. S. 90;
N. 45° 21' W., 21.81 chains to corner No. 4, H. E. S. 90;
N. 52° 13' W., 48.55 chains to corner No. 3, H. E. S. 90;
N. 27° 05' E., 3.30 chains to corner No. 5, H. E. S. 92;
N. 12° 02' W., 50.00 chains, approximately, to a point on the left bank of Herbert River;
Westerly, along the left bank of Herbert River to its confluence with Eagle River, and along the left bank of Eagle River to Favorite Channel;
Westerly and southerly along the east shore of Favorite Channel to corner No. 2, M. C., of the above-described Auke Village Camp Ground;
N. 8° 15' E., 4.00 chains to the point of beginning.
Five small unnamed islands in Favorite Channel between Eagle Harbor and Amalga Harbor in approximate latitude 58°29'20" N., longitude 134°47'30" W.
The tracts as described aggregate approximately 4,707 acres.

PETERSBURG

COPPER RIVER MERIDIAN

T. 58 S., R. 79 E., partly unsurveyed,
Sec. 18, lots 1, 2, 3, 4, 5, 6, NE¼SW¼, and N½SE¼;
Sec. 19, lots 1, 2, 3, 4, 5, 6, 7, SE¼NW¼, and SE¼;
Sec. 20;
Sec. 29, lots 2, 3, 6, 7, and W½W½;
Sec. 32;
Sec. 33, lot 6;
Sec. 34, lots 1, 2, 3, 4, and S½;
Sec. 35, lots 1, 2, 3, W½NE¼, E½NW¼, and S½;
Sec. 36.
T. 59 S., R. 79 E., partly unsurveyed,
Sec. 3, lots 1, 2, 3, 4, 5, E½, and NE¼NW¼;
Sec. 4, lots 3, 4, 7, and 8;
Sec. 5, lots 1, 2, 5, S½NE¼, W½SE¼, and SE¼SE¼;
Sec. 9, lots 2, 3, 4, and 5;
Sec. 10, lots 1 and 4, E½, and E½SW¼;
Sec. 14, S½;
Secs. 15 and 16;
Sec. 21, lots 1 and 2, SW¼NE¼, NW¼, and SE¼;
Secs. 22, 23, and 26;
U. S. Survey No. 1722 in secs. 22 and 27;
Sec. 34, lots 3 and 4;
Sec. 35.
T. 60 S., R. 79 E.,
Secs. 2 and 11;
Sec. 13, lot 1, N½SW¼, and SE¼SW¼;
Sec. 14, lots 1, 2, 3, 4, 6, and NE¼;
Sec. 23, lots 1, 2, 5, 6, and 9;
Sec. 24, lot 1, E½NW¼, NW¼NW¼, and SW¼;
Sec. 25, lots 1, 2, 3, 4, 5, 6, 8, 9, NE¼, and NE¼SE¼;
Sec. 26, lot 1.
The areas described aggregate 10,833.28 acres.

2. Subject to valid existing rights, including rights of Alaska natives, and to the provisions of existing withdrawals, the following-described tracts of public land, which are portions of the lands described in paragraph 1 hereof, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Secretary of the Interior as follows:

(a) For the preservation and protection of scenic values: *Provided*, That the timber resources on such lands shall be subject to disposal pursuant to applicable laws:

NORTH TONGASS HIGHWAY

A tract of land lying between the northwest right-of-way line of North Tongass Highway and line of mean high tide of Clover Passage; and between the north boundary of U. S. Survey No. 2553 and the extension northwesterly of the north boundary of U. S. Survey No. 2805.
The tract as described contains approximately 6 acres.
A tract of land lying between the southwesterly right-of-way line of North Tongass Highway and line of mean high tide of Tongass Narrows; and between the west boundary of U. S. Survey No. 1192 and the ex-

tension southwesterly of the northwest boundary of Lot B, U. S. Survey No. 2343.

The tract as described contains approximately 2 acres.

A tract of land lying between the southwesterly right-of-way line of North Tongass Highway and line of mean high tide of Tongass Narrows; and between the south boundary of U. S. Survey No. 2678 and the extension southwesterly of the northwest boundary of Lot E, U. S. Survey No. 2343.

The tract as described contains approximately 3 acres.

SOUTH TONGASS HIGHWAY

A tract of land lying between the easterly right-of-way line of South Tongass Highway and the line of mean high tide of George Inlet; and between the northeasterly boundary of Lot 67, U. S. S. 2402 and the south boundary of U. S. S. 2405.

The tract as described contains approximately 35 acres.

A tract of land lying between the easterly right-of-way line of South Tongass Highway and the line of mean high tide of George Inlet; and between the north boundary of U. S. S. 2191 and the south boundary of U. S. S. 2404.

The tract as described contains approximately 7 acres.

WRANGELL

Tract B. A tract of land lying between the west right-of-way line of Wrangell Highway and line of mean high tide of Zimovia Strait; and between the west boundary of unapproved U. S. S. 3000 and the north boundary of U. S. S. 2921.

The tract as described contains approximately 16 acres.

A tract of land lying between the west right-of-way line of Wrangell Highway and line of mean high tide of Zimovia Strait; and between the north boundary of Lot 16, unapproved U. S. Survey 2969 and the south boundary of Lot 22, unapproved U. S. Survey 2922.

The tract as described contains approximately 20 acres.

GLACIER HIGHWAY

Tract A. A tract of land lying between the south right-of-way line of Glacier Highway and the line of mean high tide of Gastineau Channel; and between Mile 7.375 and Mile 6.625, Glacier Highway.

The tract as described contains 4 acres.

Tract C. A tract of land lying between the westerly right-of-way line of Glacier Highway and line of mean high tide of Lena Cove; and between the northwest boundary of unapproved U. S. S. 3056 and the south boundary of unapproved U. S. Survey 3059.

The tract as described contains approximately 7 acres.

A tract of land lying between the west right-of-way line of the Glacier Highway and line of mean high tide of Tee Harbor; and between the north boundary of unapproved U. S. Survey 3057 and the south boundary of U. S. Survey 802.

The tract as described contains approximately 7 acres.

A tract of land lying between the west right-of-way line of Glacier Highway and the east boundary of U. S. Survey 2745 and the line of mean high tide of Pearl Harbor; and between the south boundary of U. S. Survey 2517 and the extension of the south boundary of U. S. Survey 2745.

The tract as described contains approximately 13 acres.

(b) For use as rights-of-way for access roads:

GLACIER HIGHWAY

Tract A. Beginning at corner 2 M. C., H. E. S. 174, thence

North, 9.00 chains, approximately, to a point from which corner 2, U. S. S. 2188 bears S. 55° 30' E., approximately 2 chains.

S. 85° 30' E., 2.00 chains to corner 2, U. S. S. 2188.

S. 0° 40' E., 8.70 chains to line of mean high tide of Gastineau Channel.

Westerly, 2.20 chains along line of mean high tide to point of beginning.

The tract as described contains 1.80 acres.

Beginning at corner 5, H. E. S. 204, thence

Westerly, 1.00 chain along south right-of-way line of Glacier Highway to intersection of line 9–10, U. S. S. 1536.

S. 4° 54' E., 7.38 chains to corner 10, M. C., U. S. S. 1536.

East, 1.00 chain to corner 6, M. C., H. E. S. 204.

N. 4° 54' W., 7.38 chains to point of beginning.

The tract as described contains 0.74 acre.

3. Except as to their exclusion from the Tongass National Forest by paragraph 1 hereof and their return to the administration of the Department of the Interior, the status of the public lands within the following-described areas shall not be changed until it is so provided by orders of classification to be issued by the Regional Administrator, Bureau of Land Management, Anchorage, Alaska, opening the lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, with a ninety-one-day preference-right filing period for filing such applications by veterans of World War II and others entitled to preference:

NORTH TONGASS HIGHWAY AND SOUTH TONGASS HIGHWAY

All lands in the North Tongass Highway and South Tongass Highway areas described in paragraph 1 hereof, exclusive of the tract reserved for use as the Whipple Creek Public Service Site by Public Land Order No. 734 of July 20, 1951, and the tracts in such areas reserved for the preservation and protection of scenic values by paragraph 2 (a) hereof.

CRAIG

All lands in the Craig area described in paragraph 1 hereof.

WRANGELL

Tract B. Beginning at a point on line 2–3, U. S. Survey No. 1760, from which corner No. 2, said survey, bears S. 68° W., 5.50 chains, thence

N. 68° 00' E., 14.50 chains;

S. 24° 30' E., 206.00 chains to a point from which corner No. 46, U. S. S. 2321, bears S. 66° W., 15.50 chains;

East, 56.50 chains;

South, 92.00 chains;

S. 11° 00' W., 72.00 chains to a point from which corner No. 2, U. S. S. 2589, bears N. 72° 00' W., 15.00 chains;

S. 42° 00' W., 108.00 chains to a point from which U. S. C. & G. S. station "Oar 2" bears West 20.00 chains;

S. 30° 00' E., 170.00 chains, crossing Pat Creek 6 chains above its confluence with Trout Lake, to a point approximately 10.00 chains from the center of Pat Creek;

S. 29° 00' E., 51.00 chains;

West, 9.00 chains to line of mean high tide of Zimovia Strait;

Northerly, along line of mean high tide to a point from which corner No. 2, U. S. S. 2321, bears N. 57° 08' E., 10.40 chains;

N. 57° 08' E., 10.40 chains to corner No. 2, U. S. S. 2321;

N. 20° 40' W., 6.70 chains to point of beginning, excluding therefrom the tracts in the Wrangell area reserved for the preservation and protection of scenic values by paragraph 2 (a) hereof.

The tract as described contains approximately 2,520 acres.

PETERSBURG

COPPER RIVER MERIDIAN

T. 58 S., R. 79 E.,
Sec. 20, lots 4, 5, and 6;
Sec. 29, lots 2, 3, 6, and 7;
Sec. 32, lots 1 and 3;
Sec. 33, lot 6;
Sec. 34, lots 1, 2, 3, and 4;
Sec. 35, lot 2 and E½NW¼.
T. 59 S., R. 79 E.,
Sec. 4, lots 3, 4, 7, and 8;
Sec. 9, lots 2 and 3;
Sec. 15, lots 1, 2, 3, and 4;
Sec. 22, lots 1 and 2;
Sec. 23, lots 1 and 2;
Sec. 26, lots 1 and 2;
Sec. 34, lots 3 and 4;
Sec. 35, lots 2 and 3, and NW¼SW¼.
T. 60 S., R. 79 E.,
Sec. 2, lots 4, 5, 6, and 7, and W½SE¼SW¼;
Sec. 11, lots 1 and 2;
Sec. 25, lots 3 and 6.

U. S. Surveys No. 2461 to No. 2463, inclusive; U. S. Surveys No. 2470 to No. 2474, inclusive, and U. S. Survey No. 2609.

The areas described aggregate 1,822.19 acres.

SITKA

Beginning at corner No. 1, U. S. Survey No. 1763, thence

Northeasterly, 6.40 chains, approximately, along meanders of U. S. S. 2752, to corner No. 4, M. C., U. S. S. 2752;

N. 45° E., 1.00 chain to corner No. 4, U. S. S. 2420;

N. 60° E., 31.00 chains;

S. 30° E., 208.00 chains to ½-Milepost on line 2–3, U. S. S. 1763;

S. 64° 55' 50" W., 40.00 chains to corner No. 2, U. S. S. 1763;

Northwesterly, 216.00 chains along line of mean high tide of Sitka Bay to point of beginning, excepting therefrom the following-described areas:

(a) The tract reserved by the act of March 22, 1944 (58 Stat. 119), as a municipal water-supply reserve for the City of Sitka;

(b) The tract reserved by Public Land Order No. 786 of January 5, 1952, for the use of the Alaska Communication System, Department of the Army, as a radio-communication site.

The tract as described contains approximately 750 acres.

DOUGLAS ISLAND

All lands in the Douglas Island area described in paragraph 1 hereof.

GLACIER HIGHWAY

Tract A. Beginning at corner No. 8, U. S. Survey 1762, thence,

N. 81° 00' W., 53.00 chains to corner No. 15, H. E. S. 174;

South, 12.80 chains approximately, to a point from which corner No. 2, U. S. S. 2188, bears S. 85° 30' E., 2 chains;

S. 85° 30' E., 4.60 chains to corner No. 3, U. S. S. 2154;

S. 88° 36' E., 4.49 chains to corner No. 2, U. S. S. 2409;

S. 83° 08' E., 7.03 chains to corner No. 2, U. S. S. 2476;

East, 7.00 chains to corner No. 3, U. S. S. 2476;

South, 6.86 chains to corner No. 4, U. S. S. 2476;

Easterly, 27.50 chains along the north right-of-way line of Glacier Highway to intersection of line 7–8, U. S. S. 1762;

North, 12.50 chains to corner No. 8, U. S. S. 1762, the point of beginning.

The tract as described contains approximately 68.8 acres.

U. S. Survey No. 2475, containing 18.69 acres.

Tract B. Beginning at corner No. 1, U. S. Survey 1536, Mendenhall Elimination from the Tongass National Forest, thence,

N. 30° 01' E., 72.50 chains to a point on the north right-of-way line of Glacier Highway;

Northwesterly, approximately 65 chains along said right-of-way line to intersection with the northeasterly right-of-way line of the Auke Lake Spur Road;

Northerly, approximately 41.50 chains along said right-of-way line to intersection with the south right-of-way line of the Mendenhall Loop Road;

Northeasterly, approximately 108.50 chains along said south right-of-way line to west boundary of U. S. Survey 1536;

N. 13° 01' E., approximately 40.00 chains along said West boundary;

S. 66° W., 154.00 chains;

West, 28.34 chains;

S. 60° W., 138.00 chains;

South, 30.00 chains to line of mean high tide, Auke Bay;

Easterly, along line of mean high tide of Auke Bay, around Mendenhall Peninsula;

Northerly, on Gastineau Channel to point of beginning, and including two small islands in Auke Bay.

The tract as described contains approximately 2,200 acres.

Tract C. Beginning at corner No. 8, U. S. Survey 802, thence,

South, 105.00 chains;

S. 25° E., 165.00 chains;

South, 24.00 chains to line of mean high tide of Favorite Channel;

Northwesterly, along line of mean high tide of Favorite Channel, around Point Lena, Lena Cove, Point Stephens, and Tee Harbor, to corner No. 1, M. C., U. S. S. 802;

East, 13.75 chains to point of beginning, including unapproved U. S. Surveys 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, and 3059, and excepting therefrom the tract withdrawn by Public Land Order No. 175 of September 29, 1943, which was transferred to the Department of the Army by Public Land Order No. 723 of May 24, 1951; and the tracts in the Glacier Highway area (Tract C), reserved for the preservation and protection of scenic values by paragraph 2 (a) hereof.

The tract as described contains approximately 900 acres.

Beginning at corner No. 6, M. C., U. S. Survey 802, thence,

East, 25.98 chains to corner No. 7, U. S. S. 802;

N. 12° W., 66.00 chains;

West, 44.00 chains to line of mean high tide of Favorite Channel;

Southerly, along said line of mean high tide to northwest corner Executive Order 51 of November 2, 1904;

East, 2.14 chains to west boundary of U. S. S. 377;

North, 27.20 chains to corner No. 2, U. S. S. 377;

East, 4.75 chains to corner No. 3, U. S. S. 377;

Northerly and Southerly along line of mean high tide of Tee Harbor to point of beginning, including unapproved U. S. S. 3060.

The tract as described contains approximately 100 acres.

Beginning at corner No. 1, H. E. S. 167; thence,

S. 89° 41' W., 7.00 chains to corner No. 8, H. E. S. 112;

N. 15° 01' W., 18.70 chains to corner No. 3, U. S. S. 2195;

S. 75° 11' W., 9.73 chains to corner No. 4, U. S. S. 2195;

N. 33° 28' W., 2.00 chains to corner No. 5, M. C., U. S. S. 2195;

Westerly, 2.00 chains along line of mean high tide of Eagle River Harbor, to corner No. 1, M. C., Tract B, U. S. S. 2387;

S. 14° 56' E., 2.43 chains to corner No. 2, U. S. S. 2387;

S. 75° 04' W., 4.98 chains to corner No. 3, M. C., U. S. S. 2387;

Southerly, 70.00 chains, approximately, along line of mean high tide of Favorite Channel to corner No. 1, M. C., U. S. S. 2516;

North, 6.77 chains to corner No. 2, U. S. S. 2516;

East, 8.36 chains to corner No. 3, U. S. S. 2516;

N. 26° 27' E., 33.28 chains to point of beginning.

The tract as described contains approximately 105 acres.

Beginning at corner No. 8, H. E. S., 145; thence,

N. 41° W., 53.00 chains to corner No. 4, H. E. S. 105;

N. 88° 41' W., 3.06 chains to corner No. 5, H. E. S. 105;

S. 0° 17' E., 30.16 chains to corner No. 6, H. E. S. 105;

N. 29° 50' W., 37.97 chains to corner No. 1, H. E. S. 105;

N. 24° 24' W., 7.82 chains to corner No. 1, H. E. S. 89;

West, approximately 37.50 chains to line of mean high tide of Favorite Channel;

Southeasterly, along said line of mean high tide, 30.00 chains to corner No. 4, M. C., Eagle River Mining Co. Mill and Dock Site;

N. 30° W., 8.50 chains to corner No. 3 thereof;

N. 60° E., 9.40 chains to corner No. 2 thereof;

S. 34° 11' E., 5.19 chains to corner No. 1, M. C., thereof;

Southeasterly along line of mean high tide of Favorite Channel, Salt Lake, and Peterson Creek to corner No. 1, M. C., H. E. S. 103;

S. 89° 45' E., 10.30 chains to point of beginning.

The tract as described contains approximately 158 acres.

All unnamed islands lying offshore of the Glacier Highway area, Tracts B and C, described in paragraph 1 hereof.

4. Effective at 10:00 a .m. on the 35th day from the date of this order, any public lands described in paragraph 1 hereof which are occupied by holders of permits from the Department of Agriculture who own valuable improvements thereon, are restored, subject to valid existing rights, for purchase as home sites under section 10 of the act of May 14, 1898, as amended by the act of May 26, 1934 (48 Stat. 809; 48 U. S. C. 461).

5. Subject to valid existing rights, including rights of Alaska natives, and to the provisions of existing withdrawals, the public lands described in paragraph 1 hereof, except as they are affected by paragraphs 2, 3, and 4 hereof, are hereby withdrawn from settlement, location, sale, and entry, and reserved for classification.

6. Executive Order No. 9114 of March 28, 1942, reserving certain public lands in Alaska for military purposes, is hereby revoked so far as it affects any part of the tract at Sitka, Alaska, described in paragraph 1 hereof.

R. D. Searles,
Acting Secretary of the Interior.

June 19, 1952.

[F. R. Doc. 52-6955; Filed, June 25, 1952; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[27 CFR Part 1]

Basic Permit Procedure

Notice of Proposed Rule-Making

A notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Deputy Commissioner in Charge of the Alcohol and Tobacco Tax Division, Bureau of Internal Revenue, with the approval of the Commissioner of Internal Revenue. Prior to the final adoption of such regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing, in duplicate, to the Deputy Commissioner in Charge of the Alcohol and Tobacco Tax Division, Bureau of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of this notice in the Federal Register. The proposed regulations are issued under the authority of 49 Stat. 977; 54 Stat. 1232; 53 Stat. 373 and sec. 161 R. S.; 27 U. S. C. 202; 26 U. S. C. 3170; 5 U. S. C. 22.

[SEAL] Dwight E. Avis,
Deputy Commissioner in Charge of the Alcohol and Tobacco Tax Division, Bureau of Internal Revenue.

1. Section 1.21 of the Federal Alcohol Administration Act Regulations No. 1 "Relating to the Issuance, Revocation, Suspension and Annulment of Basic Permits" (27 CFR Part 1), is amended by adding at the end thereof a new paragraph (c) to read as follows:

(c) The district supervisor shall cause to be maintained currently in his office for public inspection, until the expiration of one year following final action on the application, the following information with respect to each application for basic permit filed:

(1) The name, including trade name or names, if any, and the address of the applicant; the kind of permit applied for and the location of the business; whether the applicant is an individual, a partnership or a corporation; if a partnership, the name and address of each partner; if a corporation, the name and address of each of the principal officers and of each stockholder owning 10 percent or more of the corporate stock;

(2) The time and place set for any hearing on the application;

(3) The final action taken upon the application. In the event a hearing is held upon an application for a basic

permit, the district supervisor shall make available for inspection at his office upon request therefor: The transcript of the hearing, a copy of the hearing examiner's recommended decision, a copy of the district supervisor's decision and of his decision upon reconsideration, if any, and, in the event of an appeal to the Commissioner, the decision on appeal with the reasons given in support thereof

2. Section 1.33 of the said regulations (27 CFR 1.33) is amended by adding at the end thereof the following new sentenee: "Hearings upon applications for basic permits shall be open to the public."

3. The purpose of these amendments is to revise, to the extent indicated, the Bureau's policy with respect to the confidential nature of applications for basic permits under the Federal Alcohol Administration Act (49 Stat. 977 et seq. as amended 27 U. S. C. 201 et seq.) and administrative proceedings upon such applications and to make certain information, heretofore treated as confidential, available for public inspection subject to the limitations and in accordance with the procedures set forth above. The provisions of 26 CFR, Subchapter F—Records and Procedure, Part 600—Records, shall not be construed so as to conflict with the authorization and direction conveyed in paragraphs 1 and 2 above.

4. This Treasury decision shall become effective on the 31st day after the date of its publication in the FEDERAL REGISTER.

(49 Stat. 977, 54 Stat. 1232, 53 Stat. 373 and sec. 161 R. S.; 27 U. S. C. 202, 26 U. S. C. 3170, 5 U. S. C. 22)

[F. R. Doc. 52-7055; Filed, June 25, 1952; 8:56 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[418.114]

PETROLEUM OIL FOOTS

TARIFF CLASSIFICATION

JUNE 19, 1952.

In the FEDERAL REGISTER of March 26, 1952 (17 F. R. 2630), notice was given of prospective classification of certain petroleum oil foots as nonenumerated manufactured articles. The Bureau, by letter to the collector of customs, New York, New York, dated June 19, 1952, ruled that petroleum oil foots obtained in a petroleum oil refining process by treating the lubricating oil fraction with sulphuric acid and the resultant acid sludge with sodium hydroxide are classifiable as nonenumerated manufactures under paragraph 1558, Tariff Act of 1930, as modified, and dutiable at the rate of 10 percent ad valorem.

This ruling will be effective as to such or similar merchandise entered for consumption or withdrawn from warehouse for consumption after 30 days after the date of publication of the abstract of this decision in a forthcoming issue of the weekly Treasury Decision (19 CFR 16.10 (a)).

[SEAL] FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 52-7000; Filed, June 25, 1952; 8:55 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

JUNE 18, 1952.

Notice is given that the plat of original survey of the following described lands, accepted December 4, 1951 will be officially filed in the Land Office, Anchorage, Alaska, effective at 10:00 a. m. on the 35th day after the date of this notice:

SEWARD MERIDIAN

T. 20 N., R. 8 E., section 23.

The area described contains 602.85 acres

The land is located approximately 90 miles northeast of Anchorage on the Glen Highway. Index Lake, which lies within the area, is about 1½ miles north of the highway and may be reached by a secondary road of accessive grade. The land surrounding the lake has small rolling areas adjacent to steep cliffs, escarpments and mountain ridges. The timber cover is non-commercial, the greater part being brush covered. Small portions of the land could be farmed, but the soil appears very shallow in all places.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, home or headquarter site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461), by qualified veterans of World War II and other qualified persons entitled to preference under the act of Sept. 27, 1944 (58 Stat. 747, 43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under the paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquires concerning these lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

CHESTER W. MCNALLY,
Acting Manager.

[F. R. Doc. 52-6956; Filed, June 25, 1952; 8:46 a. m.]

Office of the Secretary

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER WITHDRAWING PUBLIC LAND FOR USE OF DEPARTMENT OF THE ARMY IN CONNECTION WITH LUTAK INLET DRY CARGO DOCK [1]

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6959; Filed, June 25, 1952; 8:47 a. m.]

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER PARTIALLY REVOKING PUBLIC LAND ORDER 487 OF JUNE 16, 1948, AND RESERVING PORTION OF RELEASED LANDS FOR PUBLIC RECREATIONAL PURPOSES [2]

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6962; Filed, June 25, 1952; 8:48 a. m.]

NEVADA

NOTICE FOR FILING OBJECTIONS TO ORDER WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF THE ARMY FOR MILITARY PURPOSES [1]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objections be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

R. D. SEARLES,
Acting Secretary of the Interior.

JUNE 19, 1952.

[F. R. Doc. 52-6965; Filed, June 25, 1952; 8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

CHIEF, INSPECTION AND GRADING DIVISION, AND NATIONAL SUPERVISORS, POULTRY INSPECTION SECTION

DELEGATION OF AUTHORITY TO ACT WITH RESPECT TO GRADING AND INSPECTION OF DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF

Pursuant to the authority vested in me by the Acting Administrator, Production and Marketing Administration, August 17, 1951 (16 F. R. 8501), the following officials of the Production and Marketing Administration are delegated authority to act with respect to the administration of those sections of the regulations (7 CFR Part 54) governing the grading and inspection of domestic rabbits and edible products thereof, which follow the titles of the respective officials:

Chief of the Inspection and Grading Division, Poultry Branch. Section 54.4 (b); § 54.6 (d) and (f); § 54.6 (e) and § 54.11 (a) with respect to approval of plants and labels involving combined grading and inspection; § 54.18 (a) (1) and (b) (2); § 54.34 (a), (d) and (f); and § 54.36 (m).

National Supervisor, Poultry Inspection Section, Inspection and Grading Division, Poultry Branch. Section 54.6 (e) and § 54.11 (a) with respect to approval of plants and labels involving inspection only; § 54.11 (d); § 54.12 (b) (2); § 54.19; and § 54.20.

Any action heretofore taken by the Chief, Inspection and Grading Division, Poultry Branch, or the National Supervisor, Poultry Inspection Section, Inspection and Grading Division, Poultry Branch, is hereby ratified and confirmed and shall remain in full force and effect unless and until expressly modified, amended, revoked, or terminated.

Done at Washington, D. C., this 23d day of June 1952.

[SEAL] WM. D. TERMOHLEN,
Director, Poultry Branch, Production and Marketing Administration.

[F. R. Doc. 52-7008; Filed, June 25, 1952; 8:58 a. m.]

CHIEF, INSPECTION AND GRADING DIVISION, AND NATIONAL SUPERVISOR, POULTRY GRADING AND INSPECTION SECTIONS

DELEGATION OF AUTHORITY TO ACT WITH RESPECT TO GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF

Pursuant to the authority vested in me by the Acting Administrator, Production and Marketing Administration, on August 17, 1951 (16 F. R. 8501), the following officials of the Production and Marketing Administration are delegated authority to act with respect to the administration of those sections of the regulations (7 CFR Part 70) governing the grading and inspection of poultry and edible products thereof, which follow the titles of the respective officials:

Chief of the Inspection and Grading Division, Poultry Branch. Section 70.4 (b); § 70.6 (d) and (f); § 70.6 (e) and § 70.11 (a) with respect to approval of plants and labels involving combined grading and inspection; § 70.18 (a) (1) and (b) (2); and § 70.39 (m).

National Supervisor, Poultry Grading Section, Inspection and Grading Division, Poultry Branch. Section 70.6 (e) and § 70.11 (a) with respect to approval of plants and labels involving grading only; and § 70.37 (a), (d), and (f).

National Supervisor, Poultry Inspection Section, Inspection and Grading Division, Poultry Branch. Section 70.6 (e) and § 70.11 (a) with respect to approval of plants and labels involving inspection only; § 70.11 (d); § 70.12 (b) (2); § 70.19; § 70.20; and § 70.21.

Any action heretofore taken by the Chief, Inspection and Grading Division, Poultry Branch, or the National Supervisors, Inspection and Grading Division, Poultry Branch, is hereby ratified and confirmed and shall remain in full force

[1] See F. R. Doc. 52-6958, Title 43, Chapter I, Appendix, *supra*.

[2] See F. R. Doc. 52-6961, Title 43, Chapter I, Appendix, *supra*.

[1] See F. R. Doc. 52-6964, Title 43, Chapter I, Appendix, *supra*.

and effect unless and until expressly modified, amended, revoked, or terminated; and the delegation of authority to the Chiefs of the Inspection and Grading Division and Poultry Inspection Section, Poultry Branch, Production and Marketing Administration, on January 14, 1952 (17 F. R. 582) is hereby revoked.

Done at Washington, D. C., this 23d day of June, 1952.

[SEAL] WM. D. TERMOHLEN,
Director, Poultry Branch, Production and Marketing Administration.

[F. R. Doc. 52-7009; Filed, June 25, 1952; 8:58 a. m.]

BONDING AND NET ASSETS REQUIREMENTS UNDER THE UNITED STATES WAREHOUSE ACT AND UNDER COMMODITY CREDIT CORPORATION AUTHORIZATIONS

NOTICE REGARDING UNIT PRICES

For the purpose of determining required net assets of warehousemen and amounts of surety bonds to be furnished by warehousemen either under the United States Warehouse Act, as amended, or under Commodity Credit Corporation policy authorizations and program instructions, the Administrator of the Production and Marketing Administration hereby determines and promulgates the following unit prices for the respective listed commodities, such determination to continue in effect until superseded by subsequent announcement:

	Bushel
Barley	$1.25
Corn	1.60
Flax	3.80
	Hundredweight
Grain sorghums	$2.40
	Bushel
Oats	$0.80
	Hundredweight
Rice (rough)	$5.05
Rice (milled)	8.50
	Bushel
Rye	$1.45
Soybeans	2.60
Wheat	2.20
	Hundredweight
Dry edible beans	$9.00
Hay, pasture, grass and range grass seeds:	*Per pound*
Alfalfa—Northern	$0.35
Alfalfa—Central	.28
Alfalfa—Southern	.20
Alfalfa, certified:	
Ranger, Ladak, Grimm, Buffalo, Atlantic	.40
Hairy Peruvian, Chilean, Chilean 21-5, African, Indian	.22
Clovers:	
Alsike	.25
Ladino, certified	1.00
Red	.35
Red, certified, Kenland	.40
Sweet, biennial, certified	.12
Sweet, biennial, mixed	.09
Huban sweet	.10
White (Louisiana and Mississippi)	.50
Hay, pasture, grass and range grass seeds—Continued	*Per pound*
Lespedeza:	
Kobe	$0.12
Common or Tennessee 76	.16
Sericea (hulled and scarified)	.15
Birdsfoot Trefoil	.75
Brome, Smooth	.15
Brome, Smooth, certified: Achenback, Lincoln, Fisher, Elsberry, Manchar	.20
Brome, Mountain, certified: Bromar	.20
Orchard grass	.12
Common Sudan	.035
Sweet Sudan	.04
Sudan, certified: Tift, SA-354, SA-372, Sweet, Wheeler	.05
Timothy	.075
Timothy, certified: Marietta, Loraine and Hopkins	.105
Wheatgrass, crested	.16
Wheatgrass, intermediate	.25
Wheatgrass, slender	.15
Wheatgrass, western	.15
Wheatgrass, slender, certified: Primar	.30
Wheatgrass, beardless, certified: Whitmar	.30
Big Bluestem	.20
Little Bluestem	.20
Sand Bluestem	.25
Mixed Bluestem	.25
Blue Grama	.15
Side Oats Grama	.25
Mixed Grama	.25
Buffalo (dehulled)	.40
Sand Lovegrass	.25
Winter cover crop seeds:	
Austrian winter peas	.045
Hairy vetch	.1475
Common vetch	.06
Willamette vetch	.06
Common ryegrass	.07
Blue lupine	.035
Roughpeas (Lathyrus hirsutus)	.06
Crimson clover	.165
Certified reseeding crimson clover	.19
	Bale
Cotton	$166.67
Cotton linters	58.33
Cottonseed	66.67

Done at Washington, D. C., this 23d day of June 1952.

[SEAL] GUS F. GEISSLER,
Administrator, Production and Marketing Administration.

[F. R. Doc. 52-7010; Filed, June 25, 1952; 8:59 a. m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign and Domestic Commerce

[Case No. 114]

RATNER CHEMICAL CO. ET AL.

ORDER OF APPEALS BOARD

In the matter of: A. E. Ratner, trading as A. E. Ratner Chemical Company, 135 Front Street, New York 5, New York, Continental Pharma, S. A., Boris Schorine, Thirty-five, Avenue Rogier, Brussels 3, Belgium, Continental Pharma, Eugene Hecht, 1477 Sherbrooke Street, West, Montreal 25, Canada, respondents; O. I. T. Case No. 114, Appeals Board Docket No. FC-14.

This matter having been submitted to the Appeals Board, oral argument was presented at an Appeals Hearing on February 7, 1952, by counsel for appellants Continental Pharma, S. A., Brussels, Belgium, Continental Pharma, Montreal, and Eugene Hecht, Montreal, all hereinafter referred to as Pharma, and counsel for appellant A. E. Ratner, trading as A. E. Ratner Chemical Company, New York, New York, and by counsel for the Office of International Trade. Subsequent thereto the Appeals Board gave full and careful consideration to the various hearing transcripts, documentary evidence, and the briefs submitted by the appellants and the Office of International Trade before and after said hearing. Following this careful consideration the Board arrived at certain opinions, findings, and conclusions, and was prepared to issue an order thereon.

At this point the Board was advised by the Deputy Assistant Solicitor for International Affairs, Department of Commerce, that appellants desired to submit Consent proposals. Final action by the Board was therefore held in abeyance pending the negotiation of Consent proposals between the appellants and the Office of International Trade.

On June 9, 1952, the Deputy Assistant Solicitor and Counsel for Pharma appeared before the Board in behalf of the Pharma appellants and the Office of International Trade and presented a Motion for Final Order, dated June 9, 1952, to which was attached as an exhibit a letter addressed to the Assistant Director for Export Supply, Office of International Trade, dated June 4, 1952, from counsel for Pharma, proposing that a Final Order be issued by the Appeals Board as set forth in said Motion.

On June 12, 1952 the Deputy Assistant Solicitor for International Affairs presented to the Board on behalf of counsel for A. E. Ratner, trading as A. E. Ratner Chemical Company, New York, New York, and for the Office of International Trade, a Motion for Final Order dated June 11, 1952, to which was attached as an exhibit a letter addressed to the Assistant Director for Export Supply, Office of International Trade, dated June 11, 1952, from counsel for Ratner, proposing that a Final Order be issued by the Appeals Board as set forth in said Motion.

The Appeals Board, after consideration of both Motions for Final Order and the various stipulations embodied in Pharma's letter of June 4, 1952, and the Ratner letter of June 11, 1952, finds that both Motions for Final Order are reconcilable with the opinions, findings, and conclusions of the Appeals Board arrived at prior to the submission to the Board of the proposals and motions for Consent decision, and said motions are therefore granted.

Now, therefore, it is ordered, That:

1. As to Pharma, the order of the Office of International Trade, issued December 18, 1951, be and the same hereby is modified, as to Paragraph No. 3 thereof, to reduce the term of suspension of said appellants from the period prescribed in said order of December 18, 1951, to a period of 2 years from the date of this Consent Order, plus an additional period of 3 years which shall be held in abeyance for 3 years commencing immediately upon the expiration of said 2-year suspension period,

subject to the following condition: If said appellants or any of them shall at any time within the said 2-year suspension period or within the 3 years ensuing immediately thereafter, knowingly violate any of the provisions of said order of December 18, 1951 (as hereby modified), or any of the provisions of the United States export control law or regulations issued thereunder, the Office of International Trade may summarily, at such time as it determines such violation has occurred, issue a supplementary order denying to each and all of said appellants all export privileges as provided in said order of December 18, 1951 (as hereby modified) for an additional term of 3 years from the date of such supplemental order. In that event, said term of 3 years shall be in addition to the aforesaid 2-year suspension period. It is further ordered that the Office of International Trade shall not, by the issuance of such supplemental order, be precluded from instituting any other and further action it may deem appropriate on account of the violation giving rise thereto; that said order of December 18, 1951 (as hereby modified) shall in any event expire upon the termination of United States export controls; and that the present stay of said order of December 18, 1951 shall be and hereby is terminated.

2. As to Ratner, the order of the Office of International Trade, issued December 18, 1951, be and the same hereby is modified, as to Paragraph No. 3 thereof, to reduce the term of suspension of the aforesaid appellant from the period prescribed in said order to a period of 5 months from the date of this Consent Order, plus an additional period of 4 months which shall be held in abeyance for 4 months commencing immediately upon the expiration of said 5-month suspension period, subject to the following condition: If said appellant shall at any time within the said 5-month suspension period or within the 4 months ensuing immediately thereafter, knowingly violate any of the provisions of said order of December 18, 1951 (as hereby modified), or any of the provisions of the United States export control law or regulations issued thereunder, the Office of International Trade may summarily, at such time as it determines such violation has occurred, issue a supplementary order denying to said appellant all export privileges as provided in said Order of December 18, 1951 (as hereby modified) for an additional term of 4 months from the date of such supplemental order. In that event, said term of 4 months shall be in addition to the aforesaid 5-month suspension period. It is further ordered that the Office of International Trade shall not, by the issuance of such supplemental order, be precluded from instituting any other and further action it may deem appropriate on account of the violation giving rise thereto; that said order of December 18, 1951 (as hereby modified) shall in any event expire upon the termination of United States export controls; and that the present stay of said order of December 18, 1951 shall be and hereby is terminated.

FREDERIC W. OLMSTEAD,
Chairman, Appeals Board.

JUNE 20, 1952.

[F. R. Doc. 52-6953; Filed, June 25, 1952; 8:45 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 83, Section 2, Special Order 1, Amdt. 1]

PACKARD MOTOR CAR CO.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 1 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles and factory installed extra equipment manufactured by the Packard Motor Car Company. Subsequent to the issuance of Special Order 1 the Packard Motor Car Company has introduced a new item of factory installed extra, special or optional equipment on its Packard new passenger automobiles and a wholesale ceiling has been approved for this new item. Special Order 1 is, therefore, amended to include the charge for the new item of factory installed extra, special or optional equipment.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 1 is hereby issued.

1. The following charge for factory installed extra, special or optional equipment is added to the list of extra, special or optional equipment contained in paragraph 2 of Special Order 1:

PACKARD PASSENGER AUTOMOBILES	
Power steering (all lines and series)	$185.93

Effective date. This Amendment 1 to Special Order 1 shall become effective June 24, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 24, 1952.

[F. R. Doc. 52-7051; Filed, June 24, 1952; 4:39 p. m.]

[Delegation of Authority No. 63, Revision 1]

DIRECTORS OF THE REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6, 7, AND 8 OF CPR 23

By virtue of the authority vested in me as Director of the Office of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131), Executive Order 10161 (15 F. R. 6105), Economic Stabilization Agency General Orders No. 2, as amended (16 F. R. 738, 11626), and No. 5, Revised (16 F. R. 11875), this Revision 1 to Delegation of Authority 63 is hereby issued.

Delegation of Authority 63 is revised to read as follows:

1. *Authority to act under sections 6, 7, and 8 of CPR 23.* Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to take appropriate action under sections 6, 7, and 8 of CPR 23. All actions taken by field offices under sections 6, 7, and 8 of CPR 23, previous to this authority, are hereby confirmed and validated.

2. *Redelegation of Authority.* The authority hereby delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization.

This Delegation of Authority shall take effect on June 26, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 25, 1952.

[F. R. Doc. 52-7088; Filed, June 25, 1952; 10:42 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1973]

TENNESSEE GAS CO.

NOTICE OF APPLICATION

JUNE 20, 1952.

Take notice that Tennessee Gas Company (Applicant), a Tennessee corporation having its principal place of business at Murfreesboro, Tennessee, filed on June 10, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of a natural-gas transmission pipeline approximately 12 miles in length extending from the City of Murfreesboro, Tennessee, to the nearest point of connection on the pipeline of Texas Eastern Transmission Corporation (Texas Eastern) in Tennessee.

The application recites that by means of the proposed facilities Applicant proposes to transport natural gas to the City of Murfreesboro where it will be distributed by Applicant to ultimate consumers through its existing distribution system.

The application further recites that Applicant has entered into a service agreement with Texas Eastern for the daily delivery of 2,141 Mcf of natural gas, and that this sale has been approved by the Presiding Examiner in the proceeding in Docket No. G-1693 (Texas Eastern) subject to the condition that an appropriate application for a certificate of public convenience and necessity to construct and operate the necessary lateral line be filed with the Commission on or before July 1, 1952.

The application directs the Commission's attention to the application filed by Tennessee Gas Company on May 1, 1952, pursuant to section 7 (a) of the Natural Gas Act, in Docket No. G-1950, requesting an order of the Commission directing East Tennessee Natural Gas Company to render the natural gas service to Murfreesboro which was proposed in Docket No. G-889 by East Tennessee.

Applicant requests that the instant application in Docket No. G–1973 and the application in Docket No. G–1950 be consolidated for the purpose of hearing, since the two proposals are stated to be mutually exclusive.

The total over-all estimated cost of construction of the facilities in Docket No. G–1973 is $238,000.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 9th day of July 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-6995; Filed, June 25, 1952; 8:53 a. m.]

[Docket No. G–1975]

MISSISSIPPI RIVER FUEL CORP.

NOTICE OF APPLICATION

JUNE 19, 1952.

Take notice that Mississippi River Fuel Corporation (Applicant), a Delaware corporation, having its principal place of business at 407 North 8th Street, St. Louis, Missouri, filed on June 12, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of a 2-inch diameter tap and a metering and regulating station connecting with Applicant's Line No. 1 in Morehouse Parish, Louisiana, for the delivery and sale of natural gas, upon an interruptible basis, to Mid-Valley Pipe Line Company (Mid-Valley) for use as fuel for pumping crude oil in Mid-Valley's pipe line system, which extends from Longview, Texas, to Lima, Ohio, or an order by this Commission disclaiming jurisdiction over the construction and operation of said facilities.

Applicant estimates that its sales to Mid-Valley will approximate 100,000 Mcf per year, and estimates that its annual gross revenues therefrom will approximate $20,000, based upon sales price of 20 cents per Mcf (at 14.73 psia). The cost of the facilities is estimated at $3,390, which is proposed to be financed by Applicant from cash on hand.

Applicant states that the gas to be delivered and sold to Mid-Valley will be used for fuel in its Stevenson station for pumping crude oil through its Texas-to-Ohio pipeline system; that the crude oil transported through Mid-Valley's line will be sold to three refineries; and that, with gas provided for operating its Stevenson station, 40,000 barrels of crude oil per day will be added to Mid-Valley's capacity.

Take notice that Applicant also filed on June 12, 1952, an application requesting a temporary certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, pending determination of its application as hereinbefore referred to and described, upon the grounds that an emergency need exists for Applicant's proposed service to Mid-Valley.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with its rules of practice and procedure (18 CFR 1.8 or 1.10), on or before the 9th day of July 1952. The applications are on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-6966; Filed, June 25, 1952; 8:49 a. m.]

[Docket No. IT–5519]

BONNEVILLE POWER ADMINISTRATION

NOTICE OF REQUEST FOR APPROVAL OF RATE FOR EXPERIMENTAL ENERGY FROM BONNEVILLE PROJECT

JUNE 19, 1952.

Notice is hereby given that the Secretary of the Interior has filed with the Federal Power Commission for confirmation and approval, pursuant to the provisions of the Bonneville Act (50 Stat. 731), as amended, rates and charges contained in a supplemental agreement dated January 14, 1952, to a contract dated August 12, 1944, between Bonneville Power Administration and the Bureau of Mines, for the supply of energy for experimental use in the Bureau's Northwest Electrodevelopment Laboratory at Albany, Oregon.

The proposed supplement provides for an increase in the supply of power from 2,000 kw to 5,000 kw under the existing special rate for experimental energy of 2.5 mills per kwh.

Any person desiring to make representation with respect to the foregoing should, on or before July 9, 1952, file with the Federal Power Commission, Washington, 25, D. C., a petition or protest in accordance with the Commission's general rules and regulations.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-6967; Filed, June 25, 1952; 8:49 a. m.]

[Project No. 233]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE

JUNE 20, 1952.

Public notice is hereby given, pursuant to the provisions of the Federal Power Act (16 U. S. C. 791–825r), that Pacific Gas and Electric Company, of San Francisco, California, has made application for amendment of license for major Project No. 233 to authorize the company to proceed with the construction, operation and maintenance of the Pit 4 unit as contemplated in the license but with certain revisions in approved plans to provide for relocation of the powerhouse and related facilities; a reduction from three to two in the number of generating units but with a combined capacity of 100,000 kva as originally planned; and a change in the type of surge chamber to be constructed. In addition the application requests that certain exhibits showing minor changes which have been made in the Pit 3 unit of the project facilities be included in the license.

The diversion dam and reservoir for the Pit 4 unit were completed before December 31, 1927. The Pit 4 unit will be located on Pit River in the vicinity of Big Bend in Shasta County, California, affecting lands in sections 4, 7, 8, 9, and 10, T. 36 N., R. 2 E., and sections 9, 10, 11 and 12, T. 36 N., R. 1 E., MDB & M, some of which are lands of the United States within Shasta National Forest.

Any protest against the approval of this application or request for action thereon, with the reasons for such protest or request, and the name and address of the party or parties so protesting or requesting should be submitted on or before August 11, 1952, to the Federal Power Commission at Washington 25, D. C.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-6996; Filed, June 25, 1952; 8:53 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27172]

FERTILIZER FROM BRAITHWAITE, LA., TO POINTS IN OFFICIAL AND ILLINOIS TERRITORIES

APPLICATION FOR RELIEF

JUNE 23, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. W. Boin's tariff I. C. C. No. A–816.

Commodities involved: Fertilizer and fertilizer materials, carloads.

From: Braithwaite, La.

To: Points in official and Illinois territories.

Grounds for relief: Rail and market competition, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. W. Boin, Agent, I. C. C. No. A–816, Supp. 78.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hear-

ing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-6990; Filed, June 25, 1952; 8:52 a. m.]

[4th Sec. Application 27173]

LIQUEFIED PETROLEUM GAS FROM DRAGON, MISS., TO VARIOUS POINTS

APPLICATION FOR RELIEF

JUNE 23, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1253.

Commodities involved: Liquefied petroleum gas, in tank-car loads.

From: Dragon, Miss.

To: Points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, including Ohio River crossings.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1253, Supp. 45.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-6991; Filed, June 25, 1952; 8:52 a. m.]

[4th Sec. Application 27174]

SUPERPHOSPHATE FROM NORTH LITTLE ROCK, ARK., AND ATLAS, MO., TO WELCOME, MINN.

APPLICATION FOR RELIEF

JUNE 23, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3908.

Commodities involved: Superphosphate (acid phosphate), other than ammoniated, carloads.

From: North Little Rock, Ark., and Atlas, Mo.

To: Welcome, Minn.

Grounds for relief: Competition with rail carriers, circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3908, Supp. 107.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-6992; Filed, June 25, 1952; 8:52 a. m.]

[4th Sec. Application 27175]

FOREIGN WOODS FROM POINTS IN SOUTHERN TERRITORY TO MCGRAW, N. Y.

APPLICATION FOR RELIEF

JUNE 23, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1214.

Commodities involved: Lumber, logs or flitches, of foreign woods, built-up woods and veneer, carloads.

From: Points in southern territory.

To: McGraw, N. Y.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1214, Supp. 44.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-6993; Filed, June 25, 1952; 8:52 a. m.]

[4th Sec. Application 27176]

RUBBER TIRES FROM MEMPHIS, TENN., TO SOMERVILLE, AND BOSTON, MASS.

APPLICATION FOR RELIEF

JUNE 23, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1193, pursuant to fourth-section order No. 16101.

Commodities involved: Rubber tires and parts, carloads.

From: Memphis, Tenn.

To: Boston and Somerville, Mass., and points in the Boston switching district.

Grounds for relief: Competition with rail carriers, circuitous routes, and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-6994; Filed, June 25, 1952; 8:53 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[Defense Manpower Policy No. 4, Notifications 2—13, 15, 16, 18—37, 40—50, Amdt.]

PLACEMENT OF PROCUREMENT IN CERTAIN AREAS

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

Paragraph 3 of the Findings in the above cited Notifications, as previously

published in the FEDERAL REGISTER, is amended to read as follows:

3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the (subject) area provided that a substantial portion of the work involved in the execution of the contracts will be performed in the (subject) area and provided further that contractors in said area will be afforded the opportunity to meet prices obtainable in any labor market area classified by the Department of Labor as Group I, II, or III.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Chairman,
Surplus Manpower Committee.

Approved:
JOHN R. STEELMAN,
Acting Director,
Office of Defense Mobilization.

[F. R. Doc. 52-7038; Filed, June 24, 1952; 2:07 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 31-588]

EBENSBURG COAL CO.

NOTICE OF FILING OF APPLICATION FOR EXEMPTION

JUNE 20, 1952.

Notice is hereby given that Ebensburg Coal Co. ("Ebensburg") has filed an application with this Commission requesting exemption on behalf of itself and its subsidiaries, as such, from the provisions of the Public Utility Holding Company Act of 1935 pursuant to section 3 (a) (3) (A) thereof.

Notice is further given that any interested person may, not later than July 15, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. Said application may be granted at any time after July 15, 1952.

All interested persons are referred to said application which is on file in the office of the Commission for a statement of the facts contained therein, which are summarized as follows:

Applicant is primarily engaged in the mining of bituminous coal in Cambria County, Pennsylvania. For the calendar yea. 1951, applicant reported gross sales of coal in the amount of $6,954,507 and net income in the amount of $719,395.

Applicant owns all of the outstanding securities of Colver Electric Company ("Colver"), an electric utility company, consisting of $24,500 aggregate par amount of common stock. During the calendar year 1951, Colver had gross revenues from the sale of electric energy in the amount of $149,309 and net income in the amount of $7,071.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-6971; Filed, June 25, 1952; 8:51 a. m.]

[File Nos. 54-53, 54-182, 59-40, 59-49]

CENTRAL PUBLIC UTILITY CORP. ET AL.

ORDER APPROVING APPLICATIONS AND TERMINATING TRUST

JUNE 13, 1952.

In the matter of Central Public Utility Corporation, et al., applicants, File No. 54-182; Central Public Utility Corporation, et al., respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, applicant, File No. 54-53; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, respondent, File No. 59-49.

Central Public Utility Corporation ("Central Public"), a registered holding company, having filed a plan under section 11 (e) of the act, for the purpose of partial compliance with the provisions of section 11 (b) of the act, which plan proposes:

(a) The termination of the voting trust, "Christopher H. Coughlin, W. T. Crawford and Rawleigh Warner, Voting Trustees under Voting Trust Agreement dated August 1, 1932, relating to Common Stock of Central Public Utility Corporation" ("Voting Trustees"), and the elimination, without participation in the reorganization, of the Voting Trust Certificates issued in connection therewith:

(b) The recapitalization of Central Public by canceling all its outstanding securities and issuing approximately 1,000,000 shares of new common stock, par value $6.00 a share, to the holders of the 5½ Percent Income Bonds, due August 1, 1952, of Central Public, presently outstanding in the aggregate principal amount of $42,101,202 ("Income Bonds"); and

(c) The merger of Consolidated Electric and Gas Company ("Consolidated"), a registered holding company and a direct and wholly owned subsidiary of Central Public, into Central Public;

Voting Trustees having joined in the plan to the extent the transactions proposed therein are applicable to them;

Central Public having requested that the order of the Commission conform to the requirements of and contain the recitals, specifications, and itemizations required by Supplement R and section 1808 (f) of the Federal Internal Revenue Code, as amended, and section 270-c (10) of the Tax Law of the State of New York;

Central Public having further requested that the Commission, pursuant to section 11 (e) of the act, apply to an appropriate court, in accordance with the provisions of section 18 (f) of the act, to enforce and carry out the terms and provisions of the plan;

The Commission having theretofore instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the act directed to Voting Trustees, Central Public, Consolidated, and their subsidiary companies, and such proceedings having been consolidated with the plan proceeding under section 11 (e);

Public hearings having been held with respect to these consolidated proceedings and the Commission having this day issued its findings and opinion with respect thereto:

It is ordered, Pursuant to section 11 (e) and the other applicable sections of the act, that the plan be, and the same hereby is, approved and the applications and declarations concerned with the transactions incident to consummating the plan, be, and the same hereby are, granted and permitted to become effective.

It is further ordered and recited, Pursuant to section 11 (e) and other applicable sections of the act and rules and regulations promulgated thereunder, that the transactions proposed in the plan, including but without being limited to those transactions described hereinafter, are approved and found to be necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and necessary or appropriate to the integration or simplification of the holding company system of which Central Public and Consolidated are members and the simplification of Central Public's corporate structure, and that the transactions incident to the plan meet all of the applicable standards of the act and rules and regulations promulgated thereunder. The transactions proposed in the plan have been described in five steps, designated therein as Step I through Step V inclusive, and include, among others, the following:

(I) The merger of Consolidated with and into Central Public, as provided in Step I of the plan, and, as a result thereof, the transfer to and the vesting in Central Public at the time of such merger of all the estate, property, rights, privileges, and franchises of Consolidated, including, without being limited to, the following stocks, bonds, notes, securities, or other evidences of indebtedness:

Carolina Coach Co. ("Carolina"): Common stock, 15,800 shares ($50 per share, par value);

Central Indiana Gas Co. ("Central Indiana"): Common stock, 400,000 shares ($10 per share, par value);

Central Natural Gas Corp. ("Central Natural"): Common stock, 10 shares (no par value), 6 percent demand note dated September 1, 1934, $312,890.33 face amount;

Central Public: $4 non-cumulative preferred stock, 35,000 shares (no par value);

Central Securities Transfer Co. ("Securities"): 6 percent demand note dated March 15, 1934, $38,072.11 face amount;

Porto Rico Gas & Coke Co. ("Porto Rico"): Common stock, 10,000 shares ($25 per share, par value), 6 percent cumulative preferred stock, 2,445 shares ($100 per share, par value);

Southern Cities Ice Co. ("Southern Cities"): Common stock, 1,000 shares (no par value);

The Islands Gas & Electric Co. ("Islands"): Common stock, 100,000 shares ($1.00 per share, par value), $7 cumulative preferred stock, 50,000 shares ($1.00 per share, par value.) Notes payable: 6 percent demand, dated August 1, 1935, formerly payable to International General Electric Co., Inc., $2,500,000 face amount; 6 percent, dated May 1, 1928, due May 1, 1938, $1,150,000 face amount; 6 percent, dated September 1, 1937, due September 1, 1940, $500,000 face amount; 6 percent income, dated August 1, 1932, due July 1, 1942, $4,862,604.33 face amount. Secured bonds, 10-year, 4 percent, series B, due March 1, 1953, $1,193,500 principal amount.

Union Electrica De Canarias, S. A. ("Union"): Common stock, 11,255 shares (1,000 pesetas per share, par value).

(2) The amendment of Central Public's Certificate of Incorporation, as proposed in Step II of the plan, and the effectuation thereby and in connection therewith of the following:

(a) The creation of a single new class of authorized capital stock ("new stock"), consisting of 1,100,000 shares, par value $6.00 a share, which will confer upon the holders of the new stock (other than Baltimore National Bank, Baltimore, Maryland ("Baltimore National"), as holder of the shares of the new stock that are distributable by it to the owners of Central Public's 20-year, 5½ Percent Income Bonds, as provided in Step IV of the plan), (i) cumulative voting rights and (ii) preemptive rights, both as described in (1) of section (A) of Step II of the plan;

(b) The extinguishment and cancellation of the entire amount of Central Public's presently authorized capital stock and of all the shares of such stock theretofore issued and then outstanding, and also of all the then rights of owners or holders of Voting Trust Certificates, bearers of scrip certificates, and others, in and to or to have issued any shares of such stock, without any owner or holder of such share or of Voting Trust Certificates or any such bearer or other having any right of participation to any extent whatsoever in the new capital or the new stock;

(c) The issuance of the number of shares of new common stock as described in section (B) of Step IV of the plan to Baltimore National for distribution by it to all the owners of the outstanding Income Bonds in exchange for the surrender thereof, subject to the condition that Baltimore National, as the holder of the shares so issued to it ("distributable shares"), shall not have the right at any time to exercise any of the voting rights appertaining thereto;

(d) The reduction of the capital of Central Public to the extent of the difference between $6,229,211.62 and the aggregate par value of the distributable shares issued to Baltimore National;

(3) The acceptance by Baltimore National of the distributable shares issued to it for the account of the owners of Income Bonds and bearers of scrip certificates issued by Baltimore National, the recordation by Central Public of such shares in the name of Baltimore National as the holder of record thereof, and the delivery by Central Public to and the acceptance by Baltimore National, as the Trustee under Central Public's Trust Indenture dated August 1, 1932, as amended ("Indenture"), of a stock certificate or certificates representing all of the distributable shares, in full satisfaction and discharge of the principal of, and all interest accrued or accumulated on the Income Bonds, and of all Central Public's obligations under the indenture;

(4) The satisfaction and discharge, for all purposes, simultaneously with the delivery by Central Public to Baltimore National of the stock certificate or certificates described above, of all obligations and duties of Central Public under and as party to the Indenture, including, without limitation, Central Public's obligation to pay principal and interest, including accrued or accumulated interest on the Income Bonds, and the termination concurrently therewith of all rights of whomsoever against Central Public arising under the indenture, including all the rights of the owners of Income Bonds as creditors of Central Public and as owners or holders of such bonds; provided, however, that the owners of Income Bonds then will have the rights specified in the plan;

(5) The distribution, as provided in Step IV of the plan, by Baltimore National and by Central Public through Baltimore National, as its agent for distribution, in the manner, to the extent, and subject to the conditions specified in said Step IV, of all or any part of the distributable shares, including the issuance by Baltimore National of scrip certificates in lieu of fractional shares, to the owners of Income Bonds in exchange for the surrender to Baltimore National of such bonds;

(6) The issuance by Baltimore National of scrip certificates for fractional shares to the persons entitled thereto and the transfer by Baltimore National of distributable shares upon the surrender to Baltimore National of scrip certificates within the eight-year period of distribution, as defined in Step IV of the plan, and the termination concurrently with the expiration of said period of all scrip certificates not theretofore surrendered and not then in the possession of Baltimore National and of all rights of whomsoever thereunder;

(7) The payment to and the receipt by Baltimore National for the account of the owners of unsurrendered Income Bonds and bearers of scrip certificates of any and all dividends paid by Central Public on distributable shares held of record by Baltimore National, and the payment, by Baltimore National of such dividends to the persons entitled thereto at the times, to the extent, and subject to the conditions specified in Step IV of the plan;

(8) The surrender by Baltimore National to Central Public for extinguishment at the time specified and otherwise, as provided in section (J) of Step IV of the plan, and the acceptance by Central Public of the surrender for the aforesaid purpose of all the distributable shares not theretofore distributed or then distributable, and, concurrently therewith, the payment by Baltimore National to and the acceptance by Central Public, free and clear for its own use, of all moneys representing dividends theretofore paid by Central Public to Baltimore National on the surrendered shares.

It is further ordered, That the foregoing provisions of this order shall not be operative to authorize or require the carrying out of the proposals of the plan until an appropriate United States District Court shall have entered an order approving and enforcing said plan.

It is further ordered, That the foregoing approvals and authorizations are subject to the following terms and conditions:

(1) That the authority hereby conferred shall be subject to the terms and conditions prescribed in Rule U-24;

(2) That jurisdiction is generally reserved to the Commission to entertain such further proceedings, to make such supplemental findings, and to take such further action as it may deem appropriate in connection with the plan, the transactions incident thereto, and the consummation thereof; and that jurisdiction is specifically reserved to consider and determine the following matters:

(a) The reasonableness and appropriate allocation of all fees, expenses, and other remunerations incurred or to be incurred in connection with the plan and the transactions incident thereto; and

(b) The nature of all notices to security holders of Central Public issued in connection with carrying out the provisions of the plan and the methods to be employed by Central Public in effecting the exchanges of securities as proposed in the plan and specifically whether and under what circumstances the employment of agents is required to assist in effecting consummation of the plan.

It is further ordered, Pursuant to section 11 (b) (2) of the act, that the Voting Trustees for the common stock of Central Public take appropriate steps to terminate the trust and to return the common stock of Central Public now held by such Voting Trustees to that company for cancellation; that Central Public take appropriate steps to recapitalize on a basis whereby it will have outstanding only a single class of capital stock; and that Central Public take appropriate steps to terminate the existence of Consolidated, Islands and Securities; all of the foregoing to be carried out in an appropriate manner, not in contravention of the act or the rules, regulations, and orders of the Commission thereunder: *Provided, however*, That if the above described plan is duly consummated, such action to the extent that it effectuates any of the foregoing, will be deemed compliance with those requirements of this order;

It is further ordered, Pursuant to sections 11 (b) (1) and 11 (b) (2) of the act, that jurisdiction is hereby expressly reserved to make such additional findings as the Commission may determine to be appropriate in the premises and, on the basis thereof, to direct such action by Central Public and the companies in its holding company system as may be deemed necessary to effectuate compliance by the holding company system with the standards of those sections of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-6970; Filed, June 25, 1952; 8:50 a. m.]

[File No. 70-2892]

OHIO POWER CO. AND AMERICAN GAS AND ELECTRIC CO.

NOTICE OF FILING CONCERNING ISSUANCE OF NOTES TO BANKS AND SALE OF COMMON STOCK BY SUBSIDIARY TO PARENT

JUNE 20, 1952.

Notice is hereby given that American Gas and Electric Company ("American Gas"), a registered holding company, and its electric utility subsidiary, The Ohio Power Company ("Ohio"), have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935, and have designated sections 6, 7, and 10 thereof as applicable to the proposed transactions which are summarized as follows:

Ohio proposes to issue and sell, and American Gas proposes to purchase, 300,000, shares of Ohio's no par value common stock for a cash consideration of $14,500,000. The funds proposed to be used by American Gas for this purpose will be derived from the proceeds of its sale of common stock and debentures (File No. 70-2878).

Ohio has established a line of credit with six banking institutions pursuant to which Ohio proposes to borrow not to exceed $18,000,000 from time to time prior to March 31, 1953. Such borrowings will be evidenced by the issuance and sale of promissory notes by Ohio bearing interest from the date thereof at the then current prime credit rate and maturing 270 days after the date of such issuance.

Of the $18,000,000 proposed to be borrowed, Ohio had, as of March 31, 1952, borrowed $5,000,000 from such banks and had issued its notes in evidence thereof. It is further stated that additional borrowings of not to exceed $6,000,000 may be made prior to the effective date of the declaration. These borrowings are stated to be exempt from the provisions of section 6 (a) by reason of the provisions of section 6 (b).

The application-declaration states that at least five days prior to each borrowing or renewal made subsequent to the effective date of the joint application-declaration, an amendment will be filed setting forth the amount of said proposed borrowing and the annual rate of interest thereon. Ohio requests that such amendment or amendments become effective five days after the filing thereof provided no action is taken with respect thereto within such five-day period by the Commission.

The application-declaration further states that the notes may be repaid from time to time in whole or in part without premium.

Proceeds from the proposed sale of securities will be used by Ohio in connection with its construction program which, it is presently estimated, will require the expenditure of approximately $47,500,000 in 1952 and $51,000,000 in 1953.

Notice is further given that any interested person may, not later than July 2, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 2, 1952, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said joint application-declaration which is on file in the office of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-6968; Filed, June 25, 1952; 8:50 a. m.]

[File No. 70-2893]

APPALACHIAN ELECTRIC POWER CO. AND AMERICAN GAS AND ELECTRIC CO.

NOTICE OF FILING CONCERNING ISSUANCE OF NOTES TO BANKS AND SALE OF COMMON STOCK BY SUBSIDIARY TO PARENT

JUNE 20, 1952.

Notice is hereby given that American Gas and Electric Company ("American Gas"), a registered holding company, and its electric utility subsidiary Appalachian Electric Power Company ("Appalachian"), have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935, and have designated sections 6, 7, and 10 thereof as applicable to the proposed transactions which are summarized as follows:

Appalachian proposes to issue and sell, and American Gas proposes to purchase, 300,000 shares of Appalachian's no par value common stock for a cash consideration of $9,000,000. The funds proposed to be used by American Gas for this purpose will be derived from the proceeds of its sale of common stock and debentures (File No. 70-2878).

Appalachian has established a line of credit with four banking institutions pursuant to which Appalachian proposes to borrow not to exceed $25,000,000 from time to time prior to May 31, 1953. Such borrowings will be evidenced by the issuance and sale of promissory notes by Appalachian bearing interest from the date thereof at the then current prime credit rate and maturing 270 days after the date of such issuance.

Of the $25,000,000 proposed to be borrowed, Appalachian had, as of May 31, 1952, borrowed $8,000,000 from such banks and had issued its notes in evidence thereof. It is further stated that additional borrowings of not to exceed $4,500,000 may be made prior to the effective date of the declaration. These borrowings are stated to be exempt from the provisions of section 6 (a) by reason of the provisions of section 6 (b).

The application-declaration states that at least five days prior to each borrowing or renewal made subsequent to the effective date of the joint application-declaration, an amendment will be filed setting forth the amount of said proposed borrowing and the annual rate of interest thereon. Appalachian requests that such amendment or amendments become effective five days after the filing thereof provided no action is taken with respect thereto within such five-day period by the Commission.

The application-declaration further states that the notes may be repaid from time to time in whole or in part without premium.

Proceeds from the proposed sale of securities will be used by Appalachian in connection with its construction program which, it is presently estimated, will require the expenditure of approximately $42,000,000 in 1952 and $37,000,000 in 1953.

Notice is further given that any interested person may, not later than July 2, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 2, 1952, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said joint application-declaration which is on file in the office of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-6969; Filed, June 25, 1952; 8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

SOCIETE DES VERNIS PYROLAC

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Societe des Vernis Pyrolac, Creteil (Seine) France; Claim No. 43886; property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to United States Patent Application Serial Nos. 343,177 (now United States Letters Patent No. 2,332,945) and 343,178 (now United States Letters Patent No. 2,332,946).

Executed at Washington, D. C., on June 18, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-6912; Filed, June 24, 1952; 8:52 a. m.]

EDWIN AND MARGARET VON FEST

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to Section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Edwin Von Fest, St. Peter, Austria; Margaret Von Fest, St. Peter, Austria; Claim Nos. 38012 and 5951; $1,786.04 in the Treasury of the United States, one-half thereof to each claimant.

Executed at Washington, D. C., on June 18, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-6913; Filed, June 24, 1952; 8:53 a. m.]

XAVIERE DARDELET ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Xaviere Dardelet, Paule Louise Gilberte Dardelet, Xaviere Marie Antoinette Louise Eugenie Dardelet, all of Neuilly-sur-Seine, France; Jacques Jean Eugene Dardelet, Paris, France; Jeanne Henriette Cantoni, nee Dardelet, Boulogne-sur-Seine, France; Claim No. 11860; $2,149.75 cash in the Treasury of the United States. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hugues Louis Dardelet by virtue of an agreement dated June 26, 1928 by and between Societe Francaise de Filetage Indesserrable D. D. G. and Dardelet Threadlock Corporation (including all modifications of and supplements to such agreement, including, but without limitation, seven memoranda dated October 23, 1928 from Dardelet Threadlock Corporation to Societe Fraincaise de Filetage Indesserrable D. D. G. and accepted by the latter company, and two supplemental agreements executed by Dardelet Threadlock Corporation and Societe Francaise de Filetage Indesserrable D. D. G. dated December 6, 1935 and October 3, 1939, respectively) which agreement, as modified and supplemented, relates, among other things, to certain United States Letters Patent, including Patent No. 1,657,244, to the extent that such interests and rights were owned by the claimants immediately prior to vesting by Vesting Order No. 3177 (9 F. R. 2709, March 10, 1944).

Executed at Washington, D. C., on June 19, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-6914; Filed, June 24, 1952; 8:53 a. m.]

MRS. VIRGINIA (PALLAVICINI) SAVIO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mrs. Virginia (Pallavicini) Savio, Viale delle Brigate Partigiane 6/21, Genoa, Italy; Claim No. 40125; $1,015.42 in the Treasury of the United States.

Executed at Washington, D. C., on June 19, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-6915; Filed, June 24, 1952; 8:53 a. m.]

FRANCOIS P. J. HECTOR DUMONT

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Francois P. J. Hector Dumont, Jambes, Belgium; Claim Nos. 37587 and 37588; property described in Vesting Order No. 292 (7 F. R. 9836, November 26, 1942), relating to United States Patent Application Serial No. 323,807 (now United States Letters Patent No. 2,306,208); property described in Vesting Order No. 675 (8 F. R. 5029, April 17, 1943), relating to United States Letters Patent No. 2,134,440.

Executed at Washington, D. C., on June 19, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-6916; Filed, June 24, 1952; 8:53 a. m.]

OTTO FRIEDRICH FEYEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to Section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Otto Friedrich Feyen, Hamburg, Germany; Claim No. 37375; $32,119.84 cash in the Treasury of the United States; 310 shares of California Holding Company, evidenced by Voting Trust Certificate for capital stock dated June 3, 1948 (Certificate No. 60), registered in the name of the Attorney General of the United States, Account No. 28-9392, presently in the custody of the Federal Reserve Bank of New York. All right, title, interest and claim of any kind or character whatsoever of Otto Friedrich Feyen, in and to the Estate of Rosie Wolf, deceased.

Executed at Washington, D. C., on June 20, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-6917; Filed, June 24, 1952; 8:53 a. m.]

[Vesting Order 18906]

CARL KOPP ET AL.

In re: Cash owned by Carl Kopp and others.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names are listed below, each of whose last known

address is Germany, on or since December 11, 1941, and prior to January 1, 1947 were, residents of Germany and are, and prior to January 1, 1947 were, nationals of a designated enemy country (Germany):

Carl Kopp.
Irwin Geyde.
Fritz Ostertag.
William Ostertag.
Albert Ostertag.
Hans R. Kleinjung.
Anna Bohmer.
Martha Messerschmeid.

2. That Germania Film G. m. b. H., the last known address of which is Munich, Germany, Markins & Werner, the last known address of which is Prag, Germany and Cine Central Film, the last known address of which is Germany, are corporations, partnerships, associations, or other business organizations, which on or since December 11, 1941 and prior to January 1, 1947 were organized under the laws of and had their principal places of business in Germany and are, and prior to January 1, 1947 were, nationals of a designated enemy country (Germany);

3. That F. A. Muller, who there is reasonable cause to believe on or since December 11, 1941 and prior to January 1, 1947 was a resident of Germany is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

4. That the property described as follows: Cash in the total amount of $1,886.62 presently in the custody of the Attorney General of the United States in accounts in the names of the persons listed as owners in Exhibit A, attached hereto and by reference made a part hereof, numbered and in the amount set forth opposite each such name,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the persons named in subparagraphs 1, 2 and 3 hereof, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That the national interest of the United States requires that the persons identified in subparagraphs 1, 2 and 3 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 19, 1952.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of owner	Account No.	Amount	Office of Alien Property file No.
Carl Kopp	28200214	$643.75	F-28-31892
Irwin Geyde	28200267	270.00	F-28-31893
F. A. Muller	28200276	400.00	F-28-31899
Hans R. Kleinjung	28200308	79.62	F-28-31894
Fritz Ostertag			
William Ostertag			
Albert Ostertag	28200400	146.60	F-28-31895
Anna Bohmer			
Martha Messerschmeid			
Germania Film G. m. b. H	28200325	115.92	F-28-31896
Markins & Werner	28200233	120.05	F-28-31897
Cine Central Film	6200383	101.68	F-28-31898

[F. R. Doc. 52-7001; Filed, June 25, 1952; 8:56 a. m.]

[Vesting Order 18907]

RENTNERS BERNHARD RICKELS

In re: Debt owing to the personal representatives, heirs, next of kin, legatees and distributees of Rentners Bernhard Rickels, deceased. F-28-31900.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Rentners Bernhard Rickels, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Henry Stuhmer, Alma, Nebraska, representing funds on deposit in an account, entitled Henry Stuhmer, Agent, at Harlan County Bank, Alma, Nebraska, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Rentners Bernhard Rickels, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 19, 1952.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 52-7002; Filed, June 25, 1952; 8:56 a. m.]

[Vesting Order 18908]

ELEANORE VON VALCIC

In re: Stock owned by Eleanore Von Valcic. F-6-1418.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Eleanore Von Valcic, whose last known address is Dresden A, Mozartstrasse 4, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That the property described as follows: Forty-eight (48) shares of $25.00 par value common capital stock of Norfolk and Western Railway Company, 1617 Pennsylvania Boulevard, Room 1428, Philadelphia 3, Pennsylvania, a corporation organized under the laws of the State of Virginia, evidenced by a certificate numbered NF 75792, registered in the name of Eleanore Von Valcic, and presently in the custody of the Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, together with all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Eleanore Von Valcic, the aforesaid national of a designated enemy country (Germany);

and it hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 19, 1952.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 52-7003; Filed, June 25, 1952; 8:56 a. m.]

[Vesting Order 18909]

ANNE SCHAEFER

In re: Bank account owned by Anne Schaefer also known as Anna Schaefer. F-28-31907.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9783 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Anne Schaefer, also known as Anna Schaefer, whose last known address is Stuttgarten-N, Erzburger Strasse 60, Wurttenberg, Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Anne Schaefer, also known as Anna Schaefer, by Union Dime Savings Bank, Avenue of the Americas (6th Avenue) at 40th Street, New York 18, New York, arising out of a Savings Account, account number 1,113,928, entitled Anna Schaefer, maintained at the aforesaid Bank, and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anne Schaefer, also known as Anna Schaefer, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 19, 1952.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 52-7004; Filed, June 25, 1952; 8:57 a. m.]

[Vesting Order 18910]

ERNST HOHNER ET AL.

In re: Stock owned by Ernst Hohner and others. D-63-450, F-28-13710, F-28-14630.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Cong., 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Ernst Hohner, Karl Hohner and Matthias Hohner, each of whose last known address is Trossingen, Germany, on or since December 11, 1941, and prior to January 1, 1947 were residents of Germany and are, and prior to January 1, 1947 were, nationals of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Will Hohner, deceased, who there is reasonable cause to believe, on or since December 11, 1941, and prior to January 1, 1947 were residents of Germany, are, and prior to January 1, 1947 were, nationals of a designated enemy country (Germany);

3. That the property described as follows: Nine hundred (900) shares of $100 par value capital stock of M. Hohner, Inc., New York, New York, a corporation organized under the laws of the State of New York, evidenced by certificate numbered 10, registered in the name of Matth. Hohner and presently in the custody of Swiss Bank Corporation, New York Agency, New York, New York,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ernst Hohner, Karl Hohner, Matthias Hohner and the personal representatives, heirs, next of kin, legatees and distributees of Will Hohner, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraph 1 and referred to in subparagraph 2 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein, shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 20, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-6918; Filed, June 24, 1952; 4:42 p. m.]

[Vesting Order 18903]

W. SIQUET

Correction

In F. R. Doc. 52-6867, appearing at page 5685 of the issue for Tuesday, June 24, 1952, the date "June 28, 1952" in the file line should read "June 23, 1952."